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MAJOR FRASER'S MANUSCRIPT.

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MAJOR FRASER'S

MANUSCRIPT

HIS ADVENTURES IN SCOTLAND AND ENGLAND; HIS MISSION TO, AND TRAVELS IN, FRANCE IN SEARCH OF HIS CHIEF; HIS SERVICES IN THE REBELLION (AND HIS QUARRELS) WITH

SIMON FRASER, LORD LOVAT

1696–1737

EDITED BY

ALEXANDER FERGUSSON, LIEUT-COLONEL.

VOL. I.

EDINBURGH:

DAVID DOUGLAS, 15 CASTLE STREET

MDCCCLXXXIX.

Οὗτος ἐξὶ γαλεώτης γέρων.

MENANDER.

G 51, 544

TO THE READER.

HAD it occurred to Evan Dhu Maccombich, sometime "Ensign in the Chevalier's Army," or to Alan Breck, to sit down and write, in such English as he "had," the story of his adventurous life, a volume of great interest and vastly entertaining would have been the outcome of an operation,

no doubt, painful and laborious. And the more would such a book be acceptable if the writer could have been induced to write as he spoke; which so very few succeed in doing at the present day.

In the following narrative, in which a Highland gentleman of no small sagacity and self-appreciation, of the age of the first Jacobite Rebellion, and of a type familiar to Captain Burt, records his adventures while following his Chief, and afterwards in search of him in his exile in foreign parts, it is believed there will be found a story interesting in itself and acceptable as an illustration of

the unsophisticated thought, and quaint mode of expression characteristic of a period marked by little of culture and refinement, but, it may be, by qualities more substantial.

Major Fraser's chronicle helps also to elucidate several points in the tangled history of his Chief, Simon Fraser, Lord Lovat, that stand in need of all the light that can be shed on them.

It may be said, at once, that there is here no attempt to re-habilitate the character of Simon Fraser, a task requiring a stronger pen than that of the present writer. But the reader who will peruse the

"poor Major's" record of the troublesome times, before and after "the '15," will be furnished with additional material from which to judge how far the peculiar repute in which Lord Lovat has been held is justified.

Further, it must be said, that Major Fraser, otherwise Castle Leathers, any more than either of the gentlemen above named, is not to be taken as a model of all the excellences. This is sufficiently shewn in the course of the narrative.

Nevertheless he probably did himself little more than justice, when he wrote, some four years after his Chief had suffered on

Tower Hill, and notwithstanding all he had borne at the hands of Lord Lovat, that he was fain to look on the quarrels that had sprung up between them as the product of natures equally passionate; and to forget the ill-treatnent which he had received.

These quarrels, in which Major James Fraser and his brother-in-law, Alexander Fraser of Phopachy, were concerned, are alluded to in the Life of Lord Lovat, *by Dr Hill Burton, though he does not seem to have been aware that "Castle Leathers," the much-abused, was the same James Fraser whose story he*

so cordially accepted at the closing stages of his work. The ill-treatment that our author complained of was of no imaginary or sentimental sort. Eviction, such as is commonly heard of now, seems, from the following narrative, to have been but a part of what he suffered.

As for the writer's personality, there are details enough to furnish forth a fair presentment of him. He has much of the conceit and self-conscious assurance; not a little of the pedantry; and now and then a dash of the humour of Dugald Dalgetty. Confidence, such as his, his good sword, and three words *of bad French, enabled*

the shrewd Scot to traverse alone and on foot a considerable part of northern France. He could play "the Jesuit" too, on occasion, as readily as he accuses Mary of Modena of having done with him.

His ingenious system of phonetic rendering of names and places; as, for instance, when he speaks of King George the First being "at the Haike" [Hague]; or when, on meeting the Chevalier de St George, near Challons, he remarks that it might be "the King in the Post Shees," is interesting. Eilean Aigas, he quaintly calls the "Island of Aicas," very much as one of the

Princess of Thule's friends might have done. Even, as it was alleged in the case of the "accomplished" Lady Mackintosh of Moy, of the '45, "the accents of the mountain tongue seem to have overcome the principles of English spelling."

Finally, it will be noticed that the Major, like another great commander, writes in the third person; at all events tries to do so, but does not always succeed so well as the more famous Soldier did in his "*Commentaries.*"

It is recorded at the proper place in this volume, that Dr Hill Burton, the Historiographer Royal of Scotland,

many years ago, met with Major Fraser's MS., or a copy of it; and was much impressed with its value, and evident truthfulness. It is well known that the Historian had no great partiality for the use of private written evidence in support of history. Therefore it must be held as the highest compliment to the Major's statement that when Hill Burton, long afterwards, came to write what is now the standard History of Scotland, he, in more than one place, gave extracts from this MS., now for the first time printed, to illustrate Lord Lovat's action in the Rebellion of 1715 (see Hist. of

Scotland, *vol. viii., p. 292, ed. of 1873).*

In the course of the summer of 1887, when the late Lord Lovat learned that an attempt was about to be made to place Major Fraser's MS. before the public, with the kindness and courtesy characteristic of him, wrote to say that when he returned to Beaufort Castle in the autumn he hoped to be able to furnish details regarding his famous predecessor, which might be useful in the undertaking. But, alas, before the autumn came Scotland was mourning the loss of Simon Fraser, one of the most highly respected of her nobles.

A special measure of thanks is due to Sir Arthur Halkett, Bart., of Pitfirrane, who at Mr Douglas' request, with exceeding courtesy, permitted the Editor to examine the Lovat Letters, several hundreds in number, forming part of the valuable Jacobite correspondence, preserved in the picturesque old mansion of Pitfirrane. The reader may perceive to what extent these hitherto unpublished letters have enhanced the interest of the narrative.

Thanks are also due, for assistance rendered, to Lord Archibald Campbell; Mr William Mackay, Craigmonie, Inverness; Mr P. J. Anderson,

Secretary of the New Spalding Club; and, more than to any of these, to the Rev. W. K. R. Bedford, nephew of Charles Kirkpatrick Sharpe, for his kindness in entrusting to the present writer the agreeable task of dealing with one of the most interesting relics of the Prince of Scottish dilettanti.

A. F.

Lennox Street, Edinburgh,
November 1888.

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INTRODUCTORY CHAPTER

PART I.

"By strange Extremes of Destiny decreed,
To flourish and to fall with equal speed.
So the young Gourd, around the Prophet's Head,
With swift Encrease her fragrant Honours spread;
But, curs'd by Heaven, the Greens began to fade
And sick'ning, sudden as they rose, decay'd."

ELIJAH FENTON, 1717.

INTRODUCTORY CHAPTER.

Part I.

A WARM friend, and a kindly critic, of all things Scotch, on a memorable occasion spoke of "the last great romance of Scotland; almost the last romance of Europe," alluding to the Stuart cause, which, he thought, had also "a worldly, weakly, and a trivial side."

One of the most striking figures in the later scenes of the romance was that of an old Scots nobleman borne down by grievous bodily infirmities, and a heavy weight of years. But he was a rebel; and was tried, convicted, and suffered the extreme penalty of his treason; a weakness and a sad mistake on the part of those in power. Had they left the old man alone for a little space, Time, the avenger, had done his office as surely as the headsman with his axe; and an incorrigible intriguer would have had no claim to the honours of martyrdom, which have sometimes been associated with his memory, as a sufferer in the cause of sentiment and of the rightful line.

There are several persons in

Scottish history concerning whom opinions differ widely. It would not be difficult to name half a dozen, the mention of whom is sufficient to raise discussion. Simon Fraser, Lord Lovat, however, can hardly be classed as one of these: views regarding him are less divergent.

But certain it is—as boldly declared by a brilliant writer of our day —"No Art can successfully compete with life; the Art that seeks to do so must perish." The most hopeful rival is, perhaps, simple narrative by a faithful eye-witness. However this may be, Fiction, in her wayward flights, has seldom dared to compete with the strange facts of Simon Fraser's career. And it is believed that aught that tends to throw light on the strange life and complex character of this

remarkable man will be acceptable: a man who, as has been said of him, figured, at different times as a mountain brigand; a laced courtier; a soldier; a statesman; a Highland chief; a peaceful baron; a judge administering the law of the land; and—if tradition speak the truth concerning him—a Jesuit and a parish priest; and one who with equal success filled the *rôles* of "loyal Presbyterian, Whig, and Catholic Jacobite."

What is known regarding Lord Lovat has been well recorded in Dr Hill Burton's *Life* of him, published in 1843. In his preface he enumerates the different contemporary biographical accounts of Lord Lovat he has met with, or of whose existence he is aware.

He mentions as the least inaccurate "a little book of eighty-four pages" published in 1746, entitled "*Memoirs of the Life of Lord Lovat.*" This rare tract, he says, has seldom if ever been cited by recent writers; but a book called "*Mémoires de la Vie du Lord Lovat*," issued at Amsterdam in the following year, and a mere translation of it, has been referred to as an original authority; annexed to it is usually found *Mémoires Autentiques*, a supplementary tract of some interest; one or two passages from these have been cited in the following pages.

While Simon Fraser was a prisoner awaiting trial in London, a paper in half-penny numbers appeared in the capital three times a week, giving a history of the

prisoner who was the object of so much gossip. This narrative, Dr Hill Burton says, is now very rare in its original form, but it was afterwards reprinted as an octavo volume, of which the following is an exact transcript of the title—

"THE LIFE ADVENTURES and Many Great Vicissitudes of Fortune of SIMON LORD LOVAT The Head of the Family of FRASERS—from His Birth at *Beaufort* near *Inverness* in the Highlands of *Scotland* in 1668 to the Time of his being taken by Capt. *Millar* after three Days Search in a hollow Tree on the Coasts of *Knoidart* and *Arisaig*.

By the Rev. ARCHIBALD ARBUTHNOT one of the Society for Propagating the Christian Knowledge, and Minister of *Kiltarlity* in the Presbytery of *Inverness*.

London Printed and Sold (for the Author) by R. Walker in Fleet Lane, and at his Printing-Office, next the Theatre Coffee-House in Cambridge. MDCCXLVI."

Reference is made in this book to the mission of Major Fraser of Castle Leathers, "an old associate of the Captain's," to France, in search of the Chief of the clan (p. 203).

This work, from internal evidence, is a forgery. It could not have been written by a "Minister of Kiltarlity." There does not appear to have been any minister of that Parish of the name * of the supposed author, nor does there seem to have been any member of the S.P.C.K. who can be recognised as the Rev. Mr Arbuthnot. The work

* *Fasti Eccles. Scot.*, by the Rev. Hew Scott, Edin. 1871, has been consulted.

is a curious production largely made up of sensational details. It is stated distinctly in this book that Lord Lovat was imprisoned in the Bastile, which had also been asserted in the little volume published in 1746. Advantage is taken of this alleged fact to introduce the stories of many of Lovat's fellow-prisoners as related by themselves; these form a considerable portion of the book, and very questionable reading they are, all of them in the style of Mrs Aphra Behn's highly-seasoned novelettes; by their own shewing the Bastile was the appropriate place for those gentlemen. But it is very doubtful if Lord Lovat ever was imprisoned in the Bastile. The whole book bears evidence of its origin, and of the manner of its production, a serial

to be read with "the daily Trash, the Current Scribbles of the week."*

Then, there followed the well-known work, "*Memoirs of the Life of Simon, Lord Lovat, written by himself in the French Language, and now first translated from the original Manuscript;*" London 1797. This has every indication of a genuine work, as proved by the sentiments expressed and the language used, as well as by other internal evidence. But obviously it cannot be implicitly relied on in every instance. On those points

* There was likewise a tract incidentally alluded to by Dr Hill Burton, but not further mentioned by him. It is referred to in the Kiltarlity volume. It is now very rare. The full title runs – "*A Free Examination of a Modern Romance Intitled 'Memoirs of the Life of Lord Lovat,' wherein the Character of that Nobleman is set in its true Light and vindicated.*" London. Printed for W. Webb, near St Paul's 1746, 8vo. pp. 44. [Price Sixpence].

especially, which it was desirable that the French courtiers, and others, should see in a certain modified light, the book is misleading; still it is a work from which "truth may be extracted" if the proper process be made use of. Lord Lovat makes due mention of Fraser's arrival in France in quest of him as an agreeable surprise (pp. 418-19).

The "Memoir" is carried down no further than to 1715, or about the period of Lord Lovat's leaving France with Major Fraser; and if, as there seems reason to suppose, the story was originally intended to be read at the Court of King Louis, it is not difficult to see why certain details are passed lightly over, or omitted, and others shown in a peculiar

aspect. The writer makes due mention of Major Fraser's devotion, and speaks highly of his services: the cause of quarrel had not then arisen; that is to say, Lovat still had use for him.

These are the printed materials known to Dr Hill Burton. The list, however, is not exhausted. One or two others have been met with recently in the course of enquiries in view of the production of these volumes.

"*Genuine Memoirs of the Life of Simon Lord Fraser of Lovat.* London. Printed for M. Cooper at the Globe in Paternoster Row MDCCXLVI," a brochure of forty pages —one of those put out while Lovat was a prisoner in the Tower awaiting trial. It is a well written clear defence of him and his life, by a

partisan skilful to show every doubtful point in his career in the manner most favourable to his hero. He protests eloquently against the "Torrent of Insult and Abuse" and of "Lies, Fables, and Romances" that are made use of to "make the miserable old man a Monster: a Shame to his Country, a Dishonour to his Family; nay, a discredit to his Species: the subject of Pamphlets and the Talk of Coffee-houses."

Lastly, there is "*Memoirs of the Life of Simon Fraser, Lord Lovat.* Edinburgh Printed for George Begg, Merchant in Montrose, MDCCLXVII. Price one shilling and three-pence the fine, and one shilling the course (*sic*) Copy"; a small 12mo. volume of 123 pages. There is little doubt that the year of pub-

lication, as given on the title-page of this book, has been misprinted, and should read MDCCXLVII. The compiler speaks of his "personal acquaintance with Lord Lovat for many years," and of his observation of "conduct and behaviour in the peaceable period of his life."

His idea was that the "curious" people of the "great city" would find "certain anecdotes which he had collected" of the life of the Highland chief, from "the histories of the public transactions" in which he was concerned, interesting, now that the Rebellion is happily extinguished He has evidently looked into the Kiltarlity volume, and culled freely from its contents, selecting a few of the most scandalous details attributed to Lovat's life while in France; and

after bringing the story down only to the burning of Castle Dounie after the battle of Culloden, gives a very minute portrait of the old rebel, in the present tense, as of one then living, with an exceedingly bitter estimate of his character, both private and political.

The writer of this volume likewise mentions the circumstance of "Major Fraser of Castle Leathers," an old friend and follower of the Captain's, being sent to France with a view to the obtaining of "information of his fate" (p. 51).*

Dr Hill Burton mentions in the preface to the lives of Lord Lovat, and Duncan Forbes of Culloden,

* It is worthy of note that these two last-named tracts are not to be found in the British Museum, Advocates', or Bodleian Library.

that when the printing of that work had made considerable progress "a curious MS." was lent to him by his friend Mr Richard Gordon, entitled, "The full and Impartiall Account of the whole Transactions of the present Simon Lord Lovat from the beginning of his Troubles in his own Country, and the most remarkable Steps of his acting Abroad, written by Major James Fraser." It was written, he says, "in a round school-boy hand, and from the blunders made in proper names was evidently a copy, but beyond any doubt a transcript of a genuine narrative." And, so highly did the Historian think of it that he further wrote—"The portion relative to Lovat's proceedings abroad, which took place under Major Fraser's own eye, appeared

to the Author to be so curious as to justify a considerable alteration of the book while in type."

The MS. from which the following narrative is printed is certainly not the identical document that was lent to Hill Burton, but another, and perhaps a more accurate, copy of the same original.

It is a trying circumstance for an author to meet with interesting "material" when it is too late for him to make full use of it. Had Dr Hill Burton realised that "the Major" in question was that "cusine" of whom Lovat wrote to John Forbes of Culloden in November 1714, acknowledging in warm terms the self-devotion of his follower; and the same Fraser of Castle-Leddars of whom Sir Walter Scott wrote in his well-known re-

view of the *Culloden Papers;** moreover that "Castle-Leddars" was the same gentleman, the brother-in-law of Fraser of Phopachie, who is frequently mentioned by Burton himself in tracing the history of Lovat, it is possible that he might have made even more pointed mention of the MS. he had in his hands than he has done; or, at all events, identified the writer of the MS. with the gentleman whom he has shewn took a prominent part in the drama.

Amongst the mass of MSS. belonging to Mr Charles Kirkpatrick Sharpe, and now the property of his nephew and literary executor, the Rev. W. K. R. Bedford, Rector of Sutton Coldfield, is a small, thick 4to volume written throughout in

* *Miscel. Works*, vol. xx. p. 67.

Mr Kirkpatrick Sharpe's own very peculiar hand—as clear and readable as print, with hardly a single erasure or correction, some 70 or 80 pages of very small close writing. A hurriedly written note, in the writing of Mr James Gibson-Craig, is inserted at the beginning of the book. It is undated, and states merely that the MS. will probably interest Mr Sharpe. Apparently it did. And he seems to have been, as Dr Hill Burton was, so impressed with its value that he straightway copied the whole of it *literatim* with his own hand.

It is disappointing to have to acknowledge that all endeavours to trace the history of either of the MSS. of Major Fraser's narrative have failed. The case ultimately stands thus. The copy which Dr

Hill Burton had in his possession was accepted by him as a genuine, truthful, and valuable document; so much, as has been already said, was he impressed with its importance, that he was constrained to rewrite certain portions of Lovat's *Life*, and parts of the story of Duncan Forbes, by the light this unique narrative afforded.

A comparison of the short portions quoted *verbatim* by Dr Hill Burton from Major Fraser shews that in all likelihood the copy seen and transcribed by Mr Kirkpatrick Sharpe was the more exact reproduction of the original, which as yet no one is known to have seen.*

Confidence in the extreme care

* The MS. appears to have been known some 60 or 70 years ago. See *Hist. Account of the Family of Frisel or Fraser*, by John Anderson, W.S., Edin., 1825, p. 139.

displayed by Mr Charles Kirkpatrick Sharpe in his transcription is increased by the circumstance that in one or two places he acknowledges himself—so to say—beaten. He does not attempt to make guesses at the doubtful spelling, or reading, but owns that it is unintelligible, or illegible.

Failing the original document, what is believed to be the best—and now the only—copy is submitted to the reader's judgment.

Lord Lovat has himself identified very precisely the clansman who came to his assistance while he was in exile in France. The gentleman, he says, was "James Fraser of Castle-Ladar, son of Malcolm Fraser of Culderthel, head of a very considerable branch of the house of

Lovat; which was composed of some of the bravest gentlemen in the world, and had uniformly distinguished itself during the whole period of their present adversity by a zeal for the person and interest of Lord Lovat." The Major he speaks of as "one of the principal gentlemen of his clan, a man of courage and understanding."* A description, which compares curiously with what the Chief thought proper to write regarding the same individual some time afterwards in letters wherein, as has been quaintly said, "the language of abuse is well-nigh exhausted." They had quarelled.

Culduthel and Castle-leathers (now known as Castle Heather) appear to have been, of old, parts of the lands

* Lovat's Own *Memoirs*, p. 418.

held by the keepers of the Castle of Inverness.* James Fraser was apparently one of several brothers, and Alexander Fraser of Culduthel, frequently mentioned in the narrative, was doubtless his elder brother.

There is no question as to these gentlemen being "well-connected" and holding a good position in the North country. Indeed, in the letter already mentioned, which Lovat wrote to John Forbes of Culloden, announcing his expected return from exile in France, thanks to the Major's exertions, the Chief refers to his retainer as "your," that is, Forbes', "cousin." This was no fanciful title; and one which would not have been acceptable if not

* See "Ane discharge of George, Erll of Huntlies, of the biggin of the Castell of Ennverness in durand the tyme of the Warde. 1532." —Fraser Mackintosh's *Antiq. Notes*, p. 25.

strictly true; they are touchy on such matters in the North.

Fraser, in his MS., writes of "Sir David Forbes, Advocate" as his own cousin-german. Now this learned gentleman was, as appears from the *Culloden Papers*, uncle to Duncan Forbes, and a lawyer of some considerable eminence.* So that the relation to the Lord President himself was, at all events, a measurable cousinship.

James Fraser describes himself, with some sense of the distinction the relationship conveys, as brother-in-law to Alexander Fraser of Phopachie. This gentleman was the second son of the Reverend James Fraser, ordained minister of the

* See *Culloden Papers*, p. vii. From this Sir David Forbes was descended another and better known lawyer, namely Sir David Rae, the eccentric Lord Eskgrove.

parish of Kirkhill (in which the lands of Phopachie are situated) in 1661. At that period the ministers of the Aird were men of good position.* Alexander Fraser, who succeeded to the minister's estates, and married Jane Dunbar, was a man of considerable consequence in the Aird, a district to the west of Inverness belonging to the Lovat family. He was a staunch adherent of Lord Lovat's while he was in adversity; and when he got possession of the estates, in 1716, Phopachie was appointed Chamberlain.

Throughout the quarrel with Lord Lovat which afterwards took place the two brothers-in-law are con-

* For example, the Minister of the neighbouring parish of Kiltarlity, the Reverend Hugh Fraser, married a daughter of Sir Mungo Murray of Blebo. Their contract of marriage is dated, in the year 1676, at Holyrood House. —*Antiq. Notes*, p. 178.

stantly named together, and they shared equally in the harsh treatment and rough language heaped upon them by their Chief.

As for the military rank of our Author, he himself has stated that he was "Major to a regiment of Militia employed in the Government service in the year 1715, and that he got his Commission from Brigadier-General Alexander Grant, who was Lord-Lieutenant of the County of Inverness at the time; but," he adds, "he never was Major of any regiment of regulars."

In the course of certain proceedings connected with a contest for the estate of Balnagown, about 1756, Fraser, then a very old man, gave evidence which incidentally affords curious glimpses of society in the capital of the Highlands, as

well as some details regarding himself. Thus, it appears that during the previous seventy years he had mixed in the best society in the North, and "had access to converse with, and was frequently in company with the best people of Inverness" at the time specified; that in his young days he—as he says—"wrote in the chamber of James Baillie, Town-Clerk of Inverness," where, no doubt, he acquired facility with the pen very rare at that period among persons of his class, which afterwards he applied to a subject very interesting to himself, his family, and "the name."

Regarding the Major's literary style in English, which has already been alluded to, there is here ample material offered for the formation

of an opinion. But it is very probable that he was at least equally proficient—perhaps more so—in his own mother tongue, for it is shewn that in the investigation spoken of he was called to give translations of certain songs of a satirical nature concerning a former possessor of the lands of Balnagown, written in what the deponent calls "the Gaelic, or Erse, or Irish language."

The whole of the Major's depositions in the case give one an idea of the sort of man he was in his old age, intelligent and talkative, interspersing his evidence with amusing scraps of local gossip of a bygone period, more or less irrelevant to the matter in hand.

In these embellishments of his evidence, for example, certain of the Episcopal, as well as the Pres-

byterian clergy, with singular impartiality, are made to contribute to the amusement of the gentlemen taking the Major's testimony.

When Lord Lovat contemptuously describes him, who was at one time more than his "right hand man," as an individual known by the title of "Major Cracks," it is perfectly intelligible what probably was meant by the name, without necessarily adopting the interpretation that it suited his Lordship at the moment to induce his correspondent to infer.

The outspoken, intelligent, and apparently veracious narrative that follows is exactly what we should expect from such a man who, conscious that he had a good story to tell, meant to tell it in his own way.

What further is known regarding

Major Fraser, and the circumstances connected with the production of his manuscript, are so closely associated with Lord Lovat's story, that it seems desirable, for the proper understanding of these, to notice, as briefly as may be, those incidents in the Chief's career which bear upon his follower's narrative.

Simon Fraser's father, Thomas of Beaufort, was a younger son of Hugh, 9th Lord Lovat, and survived his brothers. From the genealogical sketch annexed, it may be seen how, at the time of the death of his grand-nephew, Hugh, 11th Lord Lovat, Thomas of Beaufort was in the position of male heir to the title and estates.

This Hugh, the 11th Lord, and his wife, Lady Amelia Murray,

daughter of John, 1st Marquis of Athole, had no son; he therefore resigned the lordship for the purpose of having it again conferred, in a new charter, in such manner as to include his daughters as well as himself.

This destination was afterwards altered by Lord Hugh, in terms hardly flattering to his own intelligence. He states that, being a person of an easy temper and unacquainted with the affairs of his family, he had allowed himself to be imposed upon to grant a succession to his daughters contrary to ancient custom and the rights of the male line. Therefore, he again disponed the estates to his grand-uncle, Thomas of Beaufort, and his heirs-male. The date of this disposition, which is referred

to by Major Fraser, is 26th March 1696,* a few months before Hugh's death.

Hugh's eldest daughter, Amelia, was the innocent cause of much of the trouble that followed on her father's death. Thomas of Beaufort, it seems, did not himself make any claim to the honours of the family, but his son Simon brought forward, besides the deed in his father's favour, strong arguments in support of the traditional rights of the male head of the clan to both Chieftainship and estates; holding as incontrovertible the old feudal custom that the clan must have a Chief capable of acting on every occasion as their acknowledged leader and ruler, and

* See *Hist. Account of the Family of Frisel or Fraser*, by John Anderson, W.S. Edin., 1825, p. 118.

that it was incumbent on the clan to elect a suitable Chief, if there were no one who could claim the honour as a birthright.

It was thought that matters might be simplified if young Simon of Beaufort were to marry the heiress. Such an arrangement was not likely to be agreeable to the Murrays, seeing it would be the means of taking the extensive estates of Lovat out of their hands. But it was one, it was urged, perfectly in accordance with Scots custom, more especially in the Highlands, for the next heir-male to marry the heiress. So much was this understood to be the case that it was hinted that Simon, as the heir-male, might, in all that afterwards occurred, conceive he had a right to the heiress and the

estates.* More than one instance might be mentioned where difficulties were satisfactorily got over by means of such an arrangement.

The young lady herself—so the story goes—viewed the matter very much in this light, and ultimately eloped, with the intention of carrying out the marriage scheme; but through some failure, through cowardice or other reasons, on the part of the Fraser entrusted with the duty of escorting her, she was seized and brought back, and in due course removed by her uncle's orders to the Murrays' country near Dunkeld.

This is the form in which the

* "This, to such as have read a certain old book called the *Bible*, cannot appear to be an ill custom, since it was established among the *Jews*, whose political constitution was not very unlike that which anciently and hitherto has prevailed among the Clans."—*Genuine Memoirs*, p. 9.

incident is usually related, with the addition that the young lady was in such haste to be off that she started with "bare feet." But another face is given to the tale by the Major, on whose authority we are made aware of the extremely tender age* of the damsel who has hitherto been made to figure as a heroine in a romantic elopement. It seems probable that those in charge of her forgot to put on her stockings before they made off with her. And perhaps, after all, Fraser of Tenechiel, who was entrusted with the affair, and is accused of having been faithless in his task, was apprehensive of a serious charge being made against him of stealing the child.

Athole thought he saw a simple

* See page 107.

way out of the difficulty, by which he might conciliate the clansmen's ideas of having *a Fraser* for their Chief, and still keep the Lovat estates and the supreme power in the North, which such a position conferred, in his own family. He proposed to Lord Saltoun, being himself a Fraser, though remotely connected with the house of Lovat, that his son,* the Master of Saltoun, should marry the heiress when she should be of the proper age.

A vigorously-worded remonstrance on the part of Thomas of Beaufort, signed by twenty gentlemen of the clan — but not, it appears by Simon himself, — was forwarded to Lord Saltoun, plainly

* Sir Walter Scott (review of *Culloden Papers*) is mistaken in supposing that Lord Saltoun himself was intended to marry the heiress.

stating what would be the consequences for him if the scheme were persisted in.

Regardless of the warning, Lord Saltoun, accompanied by a younger son of the Marquis of Athole, Lord Mungo Murray, was stopped by a considerable party of the Frasers, made prisoners, and conveyed straightway to the Tower of Fanellen, belonging to one of the clan who favoured Lord Saltoun.

Here Lord Saltoun and his party were detained several days, and sensational measures taken to give them such a fright as would effectually cure them of any wish to have more to do with the Frasers, or their country. The Major describes, in guarded language, some of the steps taken towards this end. They were of such stringency as

to injure seriously Saltoun's health when he was dismissed.

Shortly thereafter the young Chief with his band, increased to several hundred men, proceeded to Castle Dounie, which they seized, as well as the Dowager Lady Lovat, whose residence it was; the young heiress having been previously removed by her mother's kinsfolk. The idea seems suddenly to have occurred to Simon Fraser that his end might be in some sort attained by his marrying the Dowager Lady Lovat, widow of his cousin Hugh.

This enforced marriage certainly took some such form as that in which it is mentioned by Major Fraser. If he himself was not present his elder brother was, as appears from the records of the law proceedings that afterwards took

place, when, at the instance of the Marquis of Athole the affair became the subject of a criminal charge, and Simon Fraser was tried, in his absence, for his share in it.

This extraordinary trial is characterised in the law books as "one of the most singular prosecutions in our criminal records," both as regards the stretch of law to convict an absent man, and the nature of the charges preferred against him.

The Lord Advocate, Sir James Steuart of Goodtrees, in a highly sensational "Information" (an original copy of which is before me) charges Thomas Fraser of Beaufort and Captain "Simeon" Fraser his son and their "complices" with high treason, in forming unlawful associations, collecting an armed force,

and continuing in arms after having been charged by a herald to lay them down. This was construed to be a "treasonable rising in arms, and open and manifest Rebellion against his Majesty." There is included in the accusation the way-laying and keeping prisoners certain free persons, and, lastly the offence against the Dowager Lady Lovat.

The charges are drafted, and much of the evidence afterwards adduced is recorded in that picturesque and graphic style which has been sometimes noticed as a characteristic of Scots law proceedings, as found in the old law books.

We read, in the information and record of the trial of "great bodies of rebells, sometimes 500 men, with colours and bagpipes, convocat by messages and *fiery croces* sent throu

the country ;" of "the roaring of the great bagpipe" with "the *Coronoch*, the ordinary signal for convocating men in arms." A very questionable use of the term "coronach," by the way; but at that period the Highlands of Scotland had not been "discovered" by Captain Burt and Walter Scott.

Then "the said Captain Simeon" failing to compel Lady Lovat to execute certain deeds "all of a sudden took up the mad and villainous resolution of marrying the afflicted lady."

The clergyman who, as Arnot quaintly writes, "pronounced the marriage ceremony" is spoken of as "one Mr Robert Monro, a poor sordid fellow, a minister."

Of course not one of the evil-doers appeared for trial in Edinburgh.

As pointed out by Arnot, the law of Scotland was most stringent in this particular, that no trial for treason was allowed in absence; that no argument, or evidence, could be heard except in presence of the accused. So "anxiously" was this form adhered to—as the same writer points out—that in certain known cases the bones of deceased offenders have been dug out of their graves and formally presented in Court.

The law, it appears, did not allow trial in absence "only in cases of treasonable rising in arms and open and manifest rebellion;" but it was obviously absurd to construe the collecting of an armed force in the remote Highlands for the purpose of *private rapine* into rebellion against the King, or his authority.

Lord Cockburn has shewn how the law in Scotland could be stretched, on occasion, in the matter of sedition; the records of this case shew that the law was as elastic in 1698 as in 1793.

The information was purposely so framed that while the absent men were found guilty of a modified charge of treason, and were sentenced to outlawry, involving grievous penalties affecting "life, estates, honours, fame, and posterity," those parts of the charges which connected themselves with private wrongs were departed from, and so could be taken up by those concerned on some future occasion.

Captain Fraser thereafter betook himself to France, in all haste, and was well received at the Jacobite Court of St Germains; and that of

Louis XIV. A *mot* by Madame de Maintenon, somewhat too plain for reproduction in the present day, indicates the success of Fraser at the French Court, and the ladies' opinion of him. He had come with a reputation for a certain sort of dash and gallantry that commended him to their good graces. But though he was successful at first in persuading Queen Mary of Modena of his loyalty to her son's cause, he never quite persuaded Middleton, the Secretary of State, or convinced the Marquis de Torcy, the crafty Colbert, of his honesty of purpose.

The occasion watched for by the Athole family arose some three years after, when, in 1701, Simon Fraser returned to Scotland, and through the influence of the Duke

of Argyle received a pardon for all he had been convicted of, but not all he had been charged with. He was prosecuted before the Court of Justiciary by those acting for Lady Lovat, for that part of the original charge that related to the outrage she had suffered. In this case also no appearance was made by the accused, and he was accordingly outlawed.

This conviction, according to Arnot, was sufficient to annul the marriage* (if there had been such), though, as appears, the ceremony had been gone through on two different occasions by two ministers of good repute.† There are letters

* "Ils [la famille d' *Athol*] se opposérent toujours de tout leur possible; ne se contentant point d'annuler son mariage avec Madame la Comtesse Douairière de *Lovat* . . . suivant systême."—*Mémoires de sa Vie*, p. 147.

† See *post*, p. 114.

extant in which both Thomas of Beaufort and Simon Fraser speak of the marriage being in all respects valid, and of the Dowager Lady being the willing and contented wife of the latter—even as the Major tells.

It is certain that the events connected with this case were the foundation of all the important incidents in Lord Lovat's after-life, therefore a few further remarks may perhaps be permitted on this subject.

Sir Walter Scott (who, however, it must be remembered, had only the *Culloden Papers* before him for review) can see no reason for Lovat's action in this case, except a sudden freak. Lovat afterwards wrote in his *Memoirs*, when it suited him to ignore the matters

charged upon him, positively denying the whole transaction, as related; and that he had ever approached the lady, far less that he had married her, assigning strong reasons why this should be so; for example, that she was a "widow old enough to be his mother, dwarfish in her person and deformed in her shape, and with no other fortune than a jointure of two hundred and fifty pounds a year, dependent on his good pleasure as Master of Lovat."* But if the dates available be at all trustworthy, the Dowager Lady was at this time probably only about thirty-four years of age, and three years, or at the most four, older than Lovat himself. A much better match, in point of years, than the young

* Lovat's Own *Memoirs*, p. 62.

heiress as Major Fraser represents her at this time.*

It must be remembered that Lady Lovat possessed as her jointure house Castle Dounie, the recognised residence of the Chief, as well as a considerable amount of property in lands and customs, which were part of the Lovat estates, and afterwards in dispute. To have possessed himself of these (including the lady as his wife) would obviously have placed him in a position second only to that of being the husband of the heiress, and one from which he might have made a plausible claim to the Chiefship.

But the best testimonial to Lovat's reputation at this time, and after, consists in the uniform and steady friendship of a man, of whom Scotland has

* See Appendix No. I.

been justly proud, namely Duncan Forbes of Culloden, afterwards Lord Advocate, and President of the Court of Session — a man who had no superior in his time in nobility of character and eminence as a Judge.

Still Duncan Forbes and his brother John, the Laird of Culloden, possessed many of the traits peculiar to Highland gentlemen of that age.* They were reputed the hardest drinkers in the North. Tradition—which does not always, however, speak the truth—says that on the occasion of their mother's burial they drank so hard, that when the party set out for the churchyard *she* was left behind.

Throughout the greater part of his life Duncan Forbes was the good angel of Lord Lovat, and to

* See Appendix No. II.

the last used his influence to incline his friend in the direction of loyalty to the Government.

The persecution by the Marquis of Athole was so sharply carried on that Simon Fraser was again forced to leave the country, taking with him, as he alleged, an engagement from the principal Highland Chiefs to rise in support of the Stuart cause.

INTRODUCTORY CHAPTER

PART II.

"Plots, true or false, are necessary things
To set up Commonwealths, and ruin Kings."

INTRODUCTORY CHAPTER.

Part II.

AT the moment when Simon Fraser made his appearance on the stage of Scotch history the *régime* of 1689 was but five years old. The waves of the storm were far from being stilled. Throughout all classes, at all events of those who had anything to lose or gain, there was a feeling of

anxiety and unrest. The easy-going took things as they came, the more sanguine found it hard to reconcile themselves to the idea that they had seen the last of the Stuarts. The records of the time shew that the more hopeful preferred rather to submit to fines and imprisonments that exhausted both property and health than give in. Some who did, found the temptation too strong for them when rumours of a fresh movement among the Jacobites were in the air.

With every new scheme of invasion from France they persuaded themselves that the looked-for moment had arrived; and with every failure they and the "cautioners," who had been so rash as to stand surety for them, suffered. Lists of such persons exist, and on these are marked

the names of those who from time to time were called upon to answer for their loyalty; or failing in that, to make good the heavy sums mentioned in their bonds. The persecution which these Jacobites suffered was very real. Besides ruinous fines, it included imprisonment in the pestilential atmosphere of the Edinburgh Tolbooth, with the more remote, but not altogether impossible, chance of bodily pains.

Private letters of this period shew how lively was the expectation that a sudden descent on the shores of Great Britain in King James' interest would some day be made.

The proposal for the succession of the Brunswick family, provided they were Protestants, made by William III. in view of the period when the Princess Anne and her

possible heirs should have passed away, was accepted in England.

Scotland and England were at this time two distinct countries. King William, it must be remembered, had not of necessity, or by any *right* of his, assumed the sovereignty of Scotland along with the Crown of England, but had been elected with distinct formalities. The Scots Parliament, at the time we are speaking of, were on the whole averse to the Brunswick family, and certainly in favour of restoring the Stuart line when the proper time should arrive.

There was one insuperable obstacle, but for which, as has been well shewn in the most recent work on this period,* Queen Anne herself would

* *The Brunswick Accession*, by Percy M. Thornton. 2nd ed., Lond. 1887, pp. 65, 157.

fain have held the hope that her brother, James Edward, might have been considered a successor to herself in the rule of these kingdoms, her son, the Duke of Gloucester, being dead. But the Chevalier de St George never pretended to forsake his papistical surroundings, and his sister knew well, though he seems not to have realised it, that this fact was tantamount to an impassable gulf fixed between him and the throne of his ancestors.

The plea advanced on behalf of Scots Jacobites during the early years of Queen Anne's reign is intelligible, namely, that whereas in England it was accounted high treason for anyone to hold intercourse with "the person styled the Prince of Wales during the life time of King James, and afterwards styl-

ing himself James VIII. and III." There was no such penalty in force in Scotland, where the succession to the Crown was open, though in England settled on the House of Hanover. Those, consequently, who were in the interest of the Chevalier made no scruple of owning it, and ran no hazard if they did, provided their opinions expressed had reference only to future contingencies. This view is ingeniously advanced in certain of the contemporary writings which support the action of Simon Fraser at this period. All this was altered, however, by the Act of Union, which was necessarily preceded by the Act of Succession.

Throughout the records of a period marked by the most unscrupulous and bare-faced self-seeking, there

are two figures that stand out bright against a dusky background, namely, Queen Anne, inflexibly faithful in her duty to her people and in her love for her brother; and the Chevalier de St George, who was equally sincere in his single-hearted devotion to the religious profession, which cost him a kingdom.

In Scotland his cause was at no time considered to be hopeless. This was shewn afterwards by the oft-quoted incident of the Duchess of Gordon's medal presented to the Faculty of Advocates in 1713. The great majority of the hard-headed lawyers in Edinburgh, anything but a body overburdened with sentiment, were in favour of the Jacobite view of the case.* On the con-

* "Strange as it may sound, I have been assured by people very well informed that in

tinent, from St Germains to Vienna, the Chevalier's prospects were considered to be so hopeful that he was looked upon as an eligible "match," and worthy of all attention by more than one foreign Court.* "Rebellion is no longer rebellion when it is successful," but chivalrous and heroic. The very shrewdest knew not how they should "behave," as the phrase went, seeing that a turn of the dice might at any moment alter the face of things. The air was full of the tramp of foreign soldiers, coming to set right all that was wrong.

Queen Anne's time near a moiety of the Lords, and Clerks of Session, and perhaps a greater proportion of the Advocates and Writers were declaredly disaffected. . . Oaths of allegiance and oaths of opinion will not make men refuse lucrative and honourable offices."—*Ramsay of Ochtertyre*, Edin. 1888, vol. I. p. 88.

* See *Lives of the Queens of England* (Mary of Modena.)

To return to Captain Simon Fraser.

In due course followed the affair known in England as the *Scotch plot*, and in Scotland as the *Queensberry plot*, in which Lovat, watched by John Murray, brother of Abercairney, came back to Scotland; and, finding but poor support, avenged himself, as he thought, on Athole, by handing to Queensberry an undirected letter, originally intended by the Court of St Germains for the Duke of Gordon's hands, with the name of Athole artfully inscribed upon it. It needed the head of the arch-plotter Robert Ferguson* to unravel the intricate scheming of this period. The deep design failed,

* See *Robert Ferguson, the Plotter*, by J. Ferguson. Edin., 1887.

and Lovat, on his return to France, was placed under restraint at the instance of Queen Mary of Modena.

It was the general opinion, as expressed in the flippant chatter of the Court of Louis XIV., that if the Jesuits, from their itch for governing, had not "put King James on so many extravagancies," William III. would have found no occasion for going over to England to maintain the Rights and Liberties of an oppressed Nation.

Madame de la Fayette, chief among the gossips, though an ex-Catholic, asserted* that, when they in France came thoroughly to know his character, and the extent to which King James had pushed his attachment and submission to the Jesuits,

* See her "*Memoirs of the Court of France during the Years* 1688 *and* 1689," cited in "*The Jewish Spy*," London, 1766; 3rd ed.

they (the Court) "retained only a sort of pity for him bordering on contempt." And the same lady quotes as a good thing, the remark of Maurice de Tillier, Archbishop of Rheims, on the Royal exile—"Look," he said, "upon that good man; he quitted three Kingdoms for one Mass." And they affected to think it but indifferent taste on the part of James that he was continually beset with Jesuits, "and that he affected to say that he was of that Order."

Whether Lovat actually joined the Society during the early years of his exile is a point that is discussed in the various *quasi* biographies of him that appeared at the time of his death. That he became an adherent of the Church of Rome is less doubtful—he owns

it himself — and his conversion was probably of use to him in his new surroundings. But that he took on him the duties of a parish priest at St Omer, as was asserted, or joined the Society of Jesus,* is in no way confirmed by what is stated by Major Fraser.

The theory that Lovat himself, in the spirit of pure "mystification" peculiar to him, originated the story, is not untenable. "Il se vanta par-

* On this subject the *Free Examination*, etc., 1747, already mentioned as supporting the cause of Lovat, has the remark—"That no Jesuit is admitted to a Living or the Exercise of Parochial Functions in Popish Countries, and that no Jesuit, by the Rules of the Society, is permitted to hear confessions before he has been fifteen years at least a professed member of the Society, and in Priest's Orders." "But," remarks the writer of the Kiltarlity volume, in reference to this passage, "I shrewdly suspect that this author is no better than a Jesuit himself, as well from the artful and sophistical management of the Defence of this Nobleman . as from the personal knowledge he seems to have of the Popish Ecclesiastical Polity."—P. 201.

ticulièrement d'avoir pénétré dans les intrigues du Clergé pendant son séjour en France ; et que s'il avoit jugé à propos de prendre les Ordres, il auroit été Archevêque, et peutêtre Pape la suite. C'est à cette gaieté apparemment qu'on doit attribuer l'histoire qu'on publioit sur son compte, savoir, qu'il s'etoit fait *Jésuit*, histoire aussi incroyable que fausse."*

The Captain's "back was a cordial," as the Scotch say. No sooner was it turned, on the failure of the Scots plot, than his adversaries set themselves to arrange matters to their own satisfaction. They never doubted that they had seen the last of him. They married the young heiress, Amelia Fraser,

* *Mémoires Autentiques de la Vie du Lord Lovat*, p. 158-59.

to Alexander Mackenzie, son of Lord Prestonhall, a Judge of the Court of Session, who took the name of Fraser and the title of Fraserdale. And to secure both the Lovat estates and title to his son, Prestonhall bought up certain claims against the property, by which means he made it his own; the decree of the Court of Session is dated 2nd December 1702. An entail settled the estates on Hugh, the son of young Fraserdale, and the Lady Lovat, as she was styled.

Then came the French descent on Scotland of 1708, too long delayed for any hope of success. Throughout the affair we hear little of Simon Fraser. He was probably, if not under lock and key, otherwise restrained, at the instance of the Court of St Germains.

But they had by no means seen the last of the Captain. For many years the clan had heard little of him. What of the rents could be got in were sent over to France by the hands of his clansman, Fraser of Phopachie.* But when it became evident that Queen Anne's reign was not likely to be prolonged, the bulk of the clan, still faithful to the heir-male, thought fit to depute a competent person to ascertain, in the first instance, if the Chief were alive or in the Bastile, as was believed, or at liberty; and, in that case, what steps he would take in view of the commotions that were expected. With no little show of self-consciousness, the Major tells us that *he* was considered, by the heads of the clan in council as-

* Hill Burton's *Life of Lovat*, p. 135.

sembled, the only man fit for the delicate and difficult mission of finding the Chief, and delivering the message of the tribe.*

In chapters III. and IV. Major Fraser gives in minute detail his adventures in France till the moment of his meeting his Chief, and afterwards his interviews with Queen Mary, the Chevalier de St George, the Duke of Perth and other nobles, and his ultimate success in getting Lord Lovat safely landed in England.

Although it is certain that Major Fraser in these chapters does ample justice to the important part he played and his skilful management of Lovat's business in France, it is but fair to say that Lord Lovat him-

* "Ils expédiérent pour cet effet le Major *Fraser de Castle-leathiers* en 1714 pour le découvrir en *France*, s'il lui étoit possible."—*Mémoires*, p. 48.

self in his own *Memoirs*, accorded quite as full a measure of credit to the Major for the devotion, activity and clear-headedness with which he planned and carried to a successful issue a very difficult business in which every circumstance was his enemy.

Lord Lovat's account of these transactions, from his meeting with "his cousin" to their landing at Dover, though given in much detail, agrees even in small particulars with Major Fraser's story. But the gallant gentleman's dignity does not always permit him to tell of amusing "bits" that might raise a laugh against him. For example he makes the most of the fine horse that the Duke of Lorraine gave him ; and the magnificent pipe he got from the Duchess; but in Lovat's *Memoirs* the Chief tells a good story about the Major's

display of horsemanship at Luneville, ending in the Duke's gift to him. Thus Lovat writes—

"The Duke being informed that the highlander had come from Scotland to Luneville on foot—presumed he did not know how to mount a horse. The highlander offered if his royal highness would permit him to mount the best blooded horse in his stables. Said the Duke—

"'We are going a hunting after dinner and I will provide you with a horse in order to see the exhibition of your skill.

"The King [*i.e.* the Chevalier de St George], the Duke and Duchess and the Ladies of the Court now prepared for the chase. They gave Mr Fraser the most vigorous horse in their stables, and luckily Sir Thomas Higgins [Secretary of State] at the same time provided him with a very heavy and substantial pair of boots. Scarcely was he mounted when the beast, who was perfectly savage

and unbroken, made such furious curvets that he expected every moment to be crushed to death against the wall of the court. He had however been brought up a very good horseman, and therefore kept his seat in a firm manner till the dogs turned out the hare.

"Then Mr Fraser put spurs to his horse, and presently outstripped the harriers. He turned the hare three or four times, and struck him with a large whip he carried in his hand. He leaped every hedge and ditch that came in his way; lost his hat and wig; and excited infinite laughter in all the Court, who expected every moment he would break his neck.

"The ladies, however, had not the pleasure of seeing much of the hare, Mr Fraser having killed it at the beginning of the chase.

"Upon their return the Duke of Lorraine observed to the highlander that since he was so good a horseman it would be a pity that he should return into Scotland

on foot, he would give him a horse that would enable him to perform his journey in a more agreeable manner. . . Meanwhile the Duchess of Lorraine, having observed that he had smoked tobacco, had the goodness to make him a present of a fine Hungary pipe.

"Next day he set out with his horse and pipe highly charmed with the gracious manners of the Duke and Duchess of Lorraine."

In the next two chapters the Major narrates their progress through England then in the first throes of rebellion, and their adventurous journey by land and sea till they reached their own country in the North.

In the '15, Fraserdale, with such of the clan as adhered to him, had sided with the Jacobites, but the bulk of the name, including the greater part of those who had gone out with Fraserdale, joined Lovat

as soon as they heard of his return. Through Duncan Forbes' sagacity and the personal influence of Lovat the Rebellion was speedily crushed in the North. The gratitude of the Government was boundless. Lovat was made Governor of Inverness, was invited to Court, and given the command of an independent company. Amongst the rewards for his services Lovat asked, and obtained, a grant of the Lovat estates in "life-rent escheat,"*

* The following is an authoritative explanation of the law in this matter, and it is hoped it may be found satisfactory—"The Right of the Life-rent Escheat, which is in the Person of a Donator, falls under simple Escheat; and albeit from the Beginning it could not vaik by a simple Rebellion, but by a Rebellion *post annum et diem; et ratio est* because it is not *quoad donatorem* a Life-rent, but only a Right to Lands, etc, during the first Rebel's Life-time. . Where there is no Infeftment in the Person of the Rebel the Life-rent pertains to the King."—See *Minor Practicks*, by Sir Thomas Hope of Craighall. Edin. 1726, p. 73.

Fraserdale having been denounced as a rebel "at the horn," a year and a day.

A great mass of the correspondence that passed between Lovat and Mr McFarlane, and now in the Pitfirrane Collection, bears on the steps to be taken to establish his own formal pardon, and himself in "Fraserdale's escheat." There are literally hundreds of letters connected with this business, which was not effected without many technical difficulties intervening. It was desirable to fix the point that young Fraserdale had been "infeft" in the lands, otherwise the terms of the escheat, as prescribed by law, would hardly have been fulfilled.

On the 3rd September 1716 Lovat writes from London:—

"I was yesterday morning 2 hours at

my good friend ye E. of Isla, who assures me I may be very easy about Fraserdale's condition, for whether he be convicted or not yt. my gift will stand, and yt. he does believe ye Court has no thought of hanging of him, and if they had any, ffriends will prevent it. But it is of great consequence to me to know whether his son be infeft beyond all disspute in his Estate and rights against my Estate."

Again, a few days later, he writes, in cold blood—

"He (Mr Fforbes) bids me take notice that Ffraserdale is to be tryed and yet does not tell me if I should stop his tryal or get witnesses to get him convicted, for some say I'll loose my gift if he be condemn'd, others say I canot loose it tho' he should be condemn'd. So yt you most consult ye case there wth able men & I'll consult it here wt my Lord Isla and the best lawyers in England and be advis'd by them."

Ultimately Lord Lovat was confirmed in the estates, a payment being made in satisfaction of the Mackenzies' claims.

To strengthen his position in the North in the interests of the Government he married at this time, with the warm approval of the Duke of Argyle and Lord Islay, the daughter of the Laird of Grant. This was considered a master-stroke of policy.

With the Lovat estates Simon Fraser assumed the magisterial authority hereditary in his family. In the troublous times of the seventeenth century, and long afterwards, such heritable jurisdiction was of much service, to those in authority, in enabling them to pay off old scores, and settle accounts with neighbours against whom accounts of jealousy or heartburning were

running, under the pretext that they were "suspect persons," and disaffected towards the Government.

In 1716 there was an affair of this sort in which Castle-leathers was a chief actor, but which he has not thought fit to record in his MS. It is, however, chronicled in detail elsewhere. The Major and his companions scarcely appear to advantage in this transaction; but it may be urged that they were acting under the orders of their Chief who had ample jurisdiction.

It appears that towards the latter end of February 1716, Castle-leathers and other gentlemen, retainers of Lovat's, namely, James Dunbar of Cloves, Thomas Fraser of Kinbruillie, with a few of meaner degree to assist them, for some good reason made an attack upon the house of

Mr Archibald Dunbar of Thunderton, a dweller in the lowland district of Moray, and forcibly broke open the doors of his stables, and did "spuilzie and take furth of the stables" nine saddle horses of different sorts and value, from the strong work horse valued at four pounds, to the "fine large grey gelding" worth twenty-seven pounds. These horses were handed over, no doubt under some judicial process, to Lord Lovat.

Now, it happened at this time that two very important events took place, in which the Fraser family, and all the country-side, were interested. Firstly, there was the funeral of Sir Hugh Campbell of Calder, a connection by marriage with the Lovat family, dating from a former generation. Then some

time thereafter—that is to say, in April of the same year—there was the burial of the Chief's only brother, John, the Chevalier Fraser. It was incumbent on all the gentlemen present to make the best appearance they could on these occasions. But it seems to have caused some little surprise that the best of Thunderton's horses were used by Lovat and his retainers on both these days. It is true, three of the horses had been restored; but in the law proceedings that followed, there is no hint that the remaining six were ever sent back.

Further, it is shewn in the course of these proceedings, that neither the Major nor Phopachie, his brother-in-law, appeared in less questionable shape than their Chief in this case of Highland "conveyancing."

Thus, at a certain stage of the proceedings, Alexander Mackintosh of Termit stated that he knew only one of Thunderton's horses, namely, a "gray padd" that he himself had sold to the pursuer; and this horse he saw in the possession of Bailie Fraser of Inverness "at Calder's burial;" naturally, he asked the Bailie where he got the horse, which belonged to Thunderton, and was told in reply that he had bought the horse from "Mr Fraser of Castle-leathers, and had Castle-leathers' warrandice on stamped paper for keeping and using the horse."

Moreover, the same gentleman, continuing his deposition, states that at "My Lord Lovat's Brother's Burial" he saw Alexander Fraser of Phopachie riding on a handsome

bay mare, which "he heard did belong to Thunderton."

A "decreet" in favour of the aggrieved party, and against Lord Lovat and his kinsmen jointly and severally, was granted it seems, six years after, but nothing more substantial in the form of reparation appears to have been made; not, at all events, until after a struggle of fifty years' duration—long after the original litigants were in their graves.*

This case is a type of many of the vexatious causes so common in those days, when a family law-plea was apt to become an

* Some portions of this narrative are taken from a printed "Extract Decreet," forming part of the process in the case of Lord Lovat against the Revd. A. G. Fraser, in the Court of Session in 1843, with regard to the Lovat succession; the point to be explained, or "instructed," being the death of John Fraser, brother to the attainted Lord Lovat.—*C. Kirkpatrick Sharpe's Papers.*

heirloom. Archibald Dunbar, who began these proceedings, died in 1733; the debt then fell to his two daughters. In 1744 it was "conveyed" to Archibald Dunbar of Newton. Three years afterwards the chief debtor, Lord Lovat, was beheaded. By 1761 the claims on the forfeited estates were still unsettled. The amount of the original decree was £88; by 1749 it had swollen to £246, 15s.

What manner of man, in the deep of his heart, he was, it would be rash to affirm from a perusal of his letters. To Simon Fraser the pen was an instrument wherewith to conceal his thoughts.

In the great mass of correspondence, however, that passed between him and Mr McFarlane, his Edinburgh agent, the Chief's literary

style is lucid and precise, his business letters models of what such writing should be. Incidentally, they afford interesting glimpses of what was going on at the time.

The lawyer in question, who was thus addressed by Lovat and by Duncan Forbes of Culloden—"Mr John McFarlan, Writer to ye Signet at Edinburgh at Peter Steele's Closs, near ye Crosse,"—attained an unhappy notoriety at a period shortly after the beginning of the correspondence mentioned.

It was his young and beautiful wife who shot, and killed, Commissioner Cayley in her own house under very awkward circumstances. The story is well-known in Scots domestic history; but there are several particulars in these letters of Lord Lovat's which are believed

to be new with regard to this wretched business; for example, that Mrs McFarlane—about whose subsequent fate nothing was known—seems to have survived it only a very short time. It has been thought well to state these details, and to give some extracts from Lord Lovat's letters on the subject in the Appendix.* In these communications of his sympathy, business, and personal regard form a very quaint mixture.

Lord Lovat had not been long settled in his estates when he began to shew himself anything but a pleasant landlord. Nay, even before he was well settled he had drifted into disputes with certain of his clan; so far, however, they were not very serious. In April 1718 he was in

* See Appendix No. III.

London, and was smitten with a dangerous fever; he thought, or at all events said, he was at the point of death; but he was well enough to dictate a skilfully worded message to the tribe in which the feelings of a dignified Chief for the moment overtopped all petty rancour. Thus he writes of the two gentlemen we are concerned with:—

"I did faithfully design and resolve to make up and put at their ease Alexander Fraser of Phopachy, and James Fraser of Castle Ladders and their families, and whatever disputes might ever be betwixt them and me which our mutual hot tempers occasioned, joined with the malice and calumny of both our enemies. I take God to witness I lov'd those two brave men as I did my own life for the great zeal and fidelity they showed to their Chief and kindred."

By the end of that year he had

appointed Phopachie his "Chamberland," as he says, in the North.

On the 13th January of the following year he writes from London to Mr McFarlane—

"I intreat you writ North to Phopachy and to my wife to use all diligence now to take up ye rents. . . and I am now resolved to poynd every unwilling man in the country." *

In 1719 the Spanish descent on the north-west of Scotland took place. It is undoubted that Simon Fraser knew more of the matter than he should have done. Possibly the Major knew more of his Chief's connection with the invasion than it was convenient that he should. The Government were shaken in their faith in the Chief, never very strong, and in the game that ensued between

* Pitfirrane MSS.

his Lordship and his clansmen it is evident that the brothers-in-law held strong cards in their hand, and Simon dreaded the effect of their production. In the Major's words, they "could table a good cart" when they chose.

There seems at this time to have been a well defined dread of eviction* which took shape not long after. Phopachie, who is described by his brother-in-law as being somewhat "mercenary," meaning by that probably, keen in money matters, did not long please the Chief, and, by consequence, Castle-leathers fell into disfavour. The first indication of the coming disagreeables appears in a letter of the Chief to McFarlane, dated "London ye 1st of August 1720." He tells him—

*See Appendix No. IV.

". . . By my last letters from ye North they writ to me that Phopachy and Castle Ladders are at Edinr. whom I desired to make that journey of purpose to make the compliment of ye whole Clan to ye Duke of Argyle and to represent our grievances to him. . . . . .

"I entreat you advance them five pounds each that they may not say I make them travel on their own expenses, which I never did and will not begin now, tho' the fall of ye south sea before ye opening of ye books is like to ruin me and many of my countrymen. But we are in hopes yt. ye directors will give us a lift before ye opening, or then many will be undone as well as I, however I shall not vex my soul about it."

On 9th February 1722 he says—

"You cannot imagine how barbarously I am used by Phop. and Castle Ladders and history cannot parallell their black knavery and ingratitude. But I am resolv'd to spend to ye last farthing on

having issue of them. Let me know how I can proceed to pursue them."

It seems there was money owing by Lovat to both his Chamberlain and Castle-leathers. As stated in the narrative a case was submitted to arbiters, who gave judgment in favour of the agent. Cuthbert of Castlehill had been nominated in Lovat's interest and Chevis of Muirtown for Phopachic, but his Lordship was convinced that the result of the arbitration shewed collusion between Castlehill and his agent. He was enraged at the decision, and on 9th June tells Mr McFarlane—

"I'm uneasy for ye treacherous and barbarous usage I have met wt. from ye covetous wretches Castlehill and Phopachy, yt. it has almost kill'd me; no man was ever so inhumanly betrayed, and what completed my chagrin my wife

and all my friends in ye North tell me yt. I am ye mocking stock of yt. country for having trusted such a noted rogue as Castlehill that has non real regard to his blood relations, to the oathes, and to my great services for him given such a villanous decree against me in which there is not one honest article" &c.

Lovat granted bonds for the amount found due to "Phopachy and Castle Ladders;"* but the agent allowed his Chief to run further in his debt. A second and general arbitration was insisted on by Lord Lovat; again he lost his cause, and took refuge in the Court of Session. The litigation lasted until the days of Phopachie's children.

After, perhaps in consequence of, these arbitrations, there was a cruel

* Autograph letter, dated 6th October 1720. Lovat "wishes the matter settled without his being seen or named."—*Pitfirrane MSS.*

outrage upon Castlehill's cattle;* followed by a mysterious midnight attack, by armed men, on Phopachie's house during his absence.

The Major gives particulars of these scandalous affairs, in which it was shrewdly "jaloused" that Lovat's hand was visible. One or two interesting letters on this subject from the Pitfirrane MSS. may be found in the Appendix.†

. . . "How much I have been abused by Phopachy and Castle-leathers," writes my Lord to Mr McFarlane; "and how cruel it would be to obledge me to inrich yt. rogue, on account of false claims, when he has been Robbing of me these eight years; and you may tell him I am resolv'd to spend to my last farthing before I give a groat to Phopachy for yt. decree," etc.

There were many other things

* *Mémoires*, p. 77. †See Appendix No. V.

that annoyed the Chief, "to add to my troubles my wife will not stay in my country, by some mad advice of my ffriends;" he also complains that there was "ye process of damn'd augmentation that ye Minister intended against" him.

"But," he regrets in his vexation, "I cannot overcome my unhappy temper, yt. makes me too sensible of good & evil. It were better for me to be a little stupid and insipid in my humour. But we cannot frame ourselves of new, and very rarely can we correct our failings and weaknesses."

As time ran on, things did not improve between the Chief and his former friends.

The next we hear of the game is in a letter dated 7th April 1729. Lovat says—

"As to Phopachy, I believe he is quite mad, or really possessed with the devil;

for as I came home last night from the King's Advocate's house, I got a letter from Castle Ladder . . . . by which you will see what a situation I am in with that villain."

It seemed that the Major was preparing a Memorial to be presented by "a Lord in the South" to the Government, "that is full of all the crimes that ever was invented, and capable to hang all England, if it were proven."

Following the course of these events chronologically, and piecing together scraps from various webs, we are brought to the year 1730. Under date, July of that year, Wodrow tells of the wretched state of things in the house of Lord Grange, a Judge of the Court of Session, and of the misery he suffered at the hands of his wife,

the unhappy Lady Grange, as it is the custom to call her. The story of her forcible abduction and imprisonment in the Island of St Kilda is too well known to need more than mention here.

The lady is stated to have had a dangerous, if not a treasonable, letter of her husband's in her possession, which she intended to present at Court, and had actually taken her place in a conveyance for London with this object. The Honourable James Erskine, Lord Grange, it should be remembered, was brother to the Earl of Mar, who raised the standard of the Stuarts in 1715. All accounts of the stealing away of Lady Grange mention the fact that the foremost actors in the piece were Highlanders in the "livery" (*i.e.*, tartan)

of Lord Lovat. Seeing that the date of the outrage on Lady Grange was 22nd January 1732, when she was carried off from her house in the High Street of Edinburgh by these Highlanders, it is not, perhaps, too much to say that the suspicions of disloyalty which Major Fraser at this very time was active in fastening on his Chief, may have been connected with the affair of Lady Grange. Lovat's own words in this connection are curious: he is far from saying that he knows nothing of the matter, he says—"But if I had contrived and assisted and saved my Lord Grange from that devil who threatened every day to murder him and his children, I would not think shame of it before God and man."

From internal evidence afforded

by the narrative, it appears that it was while things were somewhat in this state that Major Fraser laid down his pen. That is to say, it was while Duncan Forbes of Culloden was still Lord-Advocate, and before he had been raised to the office of Lord President of the Court of Session. But it will be seen in the sequel that the misunderstanding between the much-suffering Chronicler and his Chief was by no means at an end.

Major James Fraser
of Castle Leathers

MAJOR
FRASER'S NARRATIVE.

ADVERTISEMENT BY THE AUTHOR.

The full and impartiall account of the whole transactions of the present SIMON, LORD LOVAT, from the beginning of his troubles in his own country, and the most remarkable steps of his acting abroad —written by MAJOR JAMES FRASER, who was his comrad at his first taking arms in Scotland; and was partly with him abroad.

MAJOR FRASER'S MANUSCRIPT.

Chapter I.

I MUST acknowledge that I have not been brede a schollar; nor can I put this in a true stile; but will declare for the benefit of the reader that I will not borrow nor add to this account but what, for the most part, I have seen acted at home and abroad; and what, in part, I was really informed off by Simon Lord Lovat.

It is proper for the benefit of the reader to show how this man's troubles came on.

Hugh, Lord Fraser of Lovat, his predecessor and cousin german, being married to a daughter of John Marquess of Athole, the estates of Lovat was provided by contract-part betwixt them to heirs whatsomever. Lord Hugh had three sons who died in their minority. This present Simon Lord Fraser of Lovat's father who was called Thomas of Bewfort having spent his patrimony lived upon the family of Lovat, and so did this present Lord Simon of Lovat being then a young man. The Marquess of Athole seeing him to be a young man of spirit, and also being the heir male of the family, thought proper to encourage him, and to put

him into the army. My Lord Tullibarden having then a regiment brought him in to be Lieutenant of the Grandineers where he continued in the years 1694-1695.

In the beginning of the year 1696 my Lord Tullibarden gave a call to Lord Hugh Fraser of Lovat to goe with him to London to wait of King William and made my Lord Lovat believe, being an easie simple man that he would by his *moyans* * with the King procure him a regiment. He having staid there for three months and spent some money, being then accompanyed with his cousin, this Lord Simon, and Colonel Alexr. Mackenzie, uncle of this present Lord Seaforth, who mett him accidentally at London. . . . There-

* *Moyan*, Interest, means employed on behalf of another.—Jamieson's *Scot. Dict.*

after he took journey for Scotland, accompanyed with his cousin, Lord Simon, thinking to get home, fell ill at Perth:* . . . . He finding before his death that his father-in-law and his family despised him, and knowing that his estate by contract was provided to his daughters, called for a Wryter, and made over all the right he had at this present juncture to this Lord Simon, his cousin german, and told him to stick fast by the Estate, he being the only heir male; that he was fully assured his father-in-law, the Marquess of Athol, would marrie his oldest daughter to one of his own sons, or relations, to put the family of Lovat out of the name of

*The details of Hugh, Lord Lovat's, last illness and death given in the MS. are substantially the same as may be found in Simon Fraser's own *Memoirs* and in Hill Burton's *Life of Lovat*.

Fraser; which he designed thereafter to have done.

After Lord Hugh's burial at Perth, which was in February 1696, this present Lord Simon of Lovat retired to his company of the Regiment then at Edinburgh, and was very much made off by his Collonel, my Lord Tullibarden. It happened that one night the same Lord Simon had the command of the Castle-guard his Collonel my Lord Tullibarden came into the Castle * along with some other gentlemen to take their botle, and sent out a servant for Lord Simon who commanded the guard, and when he came in was kindly received by his Collonel. They having drunk to a good pitch,

* In Lord Lovat's own *Memoirs* it is stated that this incident occurred in "the Royal Palace of Edinburgh."

my Lord Tullibarden took a paper out of his pocket, and called for pen and ink; and desired Lord Simon to sign the same without reading, which he absolutely refused to do untill he would first know the contents of it. My Lord Tullibarden told him in a threatening manner that it was but justice, and what he ought to do since he had no right or title to the estate of Lovat, and that the paper was a renunesation of his pretension to that estate. Lord Simon told him he would sign no such paper, whereupon my Lord Tullibarden threatened him with his stick; he having then got to his sword they were then seperate by the gentlemen present.

Next morning Lord Simon went to Collonel Macgill and made his grievance to him, and told him how

he was used by my Lord Tullibarden, and swore he would never enter his regiment more; intreated that Collonell Macgill should take him into his regiment, which Collonel Macgill presently embraced, he having a vacancy at the time.

Lord Simon then being incenced against the family of Atholl wrote home express to his father, Thomas of Bewfort, to take on the title of Lord Lovat, and that he would repaire to his assistance; which he did very soon thereafter. He having come north to his country a great many of his name joined him, especially his Highlanders; but such as were landed men in his low country would not join him.

The Marquess of Athole, before that time, took away the oldest daughter, who was *nyne years of age*,

into his dwelling-house at Atholl, by which means he thought to secure the estate against Lord Simon. The Marquess of Atholl and his son being then in great power with King William began to prosecute the law against Lord Simon, but before he would enter hostilities against the Frasers he wrote a general letter to the whole name of Fraser, desiring them to desert that rebel (as he called him) and deliver him to the civil law; and since he found that they wanted a Fraser to be their chief, he would find out a true Fraser and a man of a handsome fortune that would support their whole name.

This letter having gone amongst them all the name of Fraser was divided, and, as I said before, such as were the Highlanders of that name stuck closs to Lord Simon

and wrote a letter which they all subscribed to the Marquess of Athol, that they would have no borrowed Chief, tho' he was [a] Fraser.

The landed men who deserted Lord Simon wrote a letter of thanks to the Marquess of Athol for his kindness in supporting them, and intreated that he should bring the Master of Salton to make them a visit, which might be a mean to bring in those who joined Lord Simon, when they were now sensible that this was a rich man and able to support them in all events. The Marquess of Athol having gotten this letter from the landed men of the name wrote back, in answer, that they should wryte a general call to my Lord Salton and his son to come and visit them.

Lord Simon being apprised of

this letter he and his whole party that joined him wrote a joint letter to my Lord Salton, if he did come upon those gentlemen's calls, that he might assure himself he nor his son had no chance ever to go back again. This threate of Lord Simon's did not stope my Lord Salton, who came to the country without his son with him, upon those gentlemen's call and upon the Marquess of Atholl's encouragement. He having stayed 8 or 10 days amongst those gentlemen [was] very much regailed and in great hopes to have his son Lord Lovat when the girle was ripe.

He marching out of the country upon his way home within two miles of Inverness at a place called Bunchrew, belonging to Mr Duncan Forbes advocate, with 16 or 20

horses with him Lord Salton with his whole attendance was all seized prisoners by Lord Simon, and carried back to a gentleman's house* called Fraser of Kinneries, who was one of the greatest encouragers my Lord Salton had in coming to that country.

They were all secured, and the whole country raised in arms; and a gallows was erected before the windows of my Lord Salton's room and a ladder put up to the gallows, and a gentleman sent into him with a message to prepare himself for another world, that he had but two days to live, and those gentlemen of the name of Fraser who gave him the call to their country was to cast the dyce to know whose fate it was to hang with him. The poor

* The tower of Finellan.

gentleman finding this a hard pill to discheast contracted a bloody flux, of which he almost dyed, and upon his recovery he begged his life, the gallows having stood all the time before his window—and 500 men waiting on in arms.

Lord Simon called his special friends together and asked whether they thought it proper to hang him or to make him give, under his hand, that he should never come there again upon the same business. And they agreed they should rather have that wryte under his hand. Whereupon Lord Salton granted an obligement never to return or concern himself with that Estate under a certain penalty.

The Marquess of Athol being apprised of the treatment that my Lord Salton met with he immediate-

ly fell to work, and entered a grievious complaint both to the King and Ministry against Lord Simon. Whereupon he procured orders to the forces to march against him, seeing he had taken up men in arms contrar to the laws of the nation. Lord Simon being alarm'd of this did consult some gentlemen in the country if they would advise him to marrie the Marquis of Atholl's daughter, Lord Hugh's relict, who was all this time in her own house in the country, thinking that the marrying of her might be a mean of alaying the Marquess of Athol's fury against him—but it acted quite the reverse.

I shall begin to give you an account of the nature of this marriage.

The gentleman (I mean Lord

Simon) who was very well acquainted with the Lady; but was not be her well received of his hand, but he urged the more, fearing that the troops would march against him before he got his design accomplished. The Lady not yielding willingly, there was some harsh measures taken, a parson* sent for, and the bagpipe blown up. The ceremony being used by the parson. . . . a double guard being kept in the house, and thereabouts, for the space of eight days.

Thereafter (to my certain knowledge) whatever new light the Lady

* Robert Munro, minister of Abertarff, instituted 12th March 1676, died sometime after October 1697. "He married in an extraordinary manner in 1697, Simon, master of Lovat, to Lady Amelia Murray while the Lady was under restraint by an armed force." See *Fasti Eccles. Scot.* by the Rev. Hew Scott, Edin. 1871.

had got, desired her husband to send for Mr William Fraser minister of Kilmorach * in order to make a second marriage (not thinking the first valid) before a select number of gentlemen; which was accordingly done.

In the mean tyme when this transaction was going on, the Marquess of Atholl was not idle to make interest at Court to prosecute Lord Simon and to procure an order to march the troups for seizing his person and his associates, which he soon procured. Lord Simon finding this retired from his dwelling house to a little Island where a

* William Fraser, A.M., son of the minister of Kiltarlity, was minister of the same Parish, graduated at King's College, Aberdeen, ordained 1667, transferred to Dingwall Presbytery and Parish of Kilmorach 1674. See *Fasti Eccles. Scot.*

gentleman had his summer dwelling called the Isle of Aicass which lay within two miles of his dwelling house, belonging to Fraser of Aicass.

The Marquess of Athol being informed of Lord Simon's motion and the nature of his marriage, first and last—sent his two sons, Lord James and Lord Mungo, with an order from the Privy Counsell to seize Lord Simon's person and his associates. Whereupon they came north to Inverness where a regiment of the troups lay at that time; they brought my Lord Forbes with them with a troup of horse. They having come to Inverness sent a gentleman to know if my Lady was in life or not. They finding she was, sent for one, William roy Fraser, who was a mortal and declared enemy to my Lord Simon, and who

promised to the Marquess of Atholl and took from him to that effect money to betray his chief, and bring the party upon him.

This William roy having come, upon their call to them, received twenty-five crowns from my Lord James Murray; and he desired him to march that night with two hundred of the troups, and that they would find Lord Simon and his party in their beds. But he found himself mistaken; for my Lord Simon being informed of their motions, had 200 men well prepared with him, and being in an Island, the troups were countermanded.

Next morning Major James Fraser (the author hereof) was sent off by Lord Simon with a command of fourty men to seize the person of this William roy, who was known

to be the informer. The said William Roy having taken possession of the house of Fraser of Belladrum, Major Fraser coming there desired Belladrum to deliver him up, which Belladrum at first refused to do; whereupon Major Fraser threatened to put his house on fire; thereafter the gentleman delivered him up. Then immediately, as he was taken, his hands were bound with a rope put about his neck, and brought by Major Fraser to my Lord Simon.

Whenever he appeared he confessed the fact; whereupon a Councill of War was held on him, and jury of 15 set upon his trials, who condemned him to be hanged next day. But Lord Simon not being then willing to enter in his own blood, made the fellow go to his knees, and take his sacramental vows that he

would never be guilty of the like thereafter; but this vows [he] was not long of breaking, for in two nights thereafter he marched the same troups to cutt off Lord Simon and his party. He being a second tyme disappointed of his design deserted the country he knowing there would be no mercy for him if he was taken a second time.

My Lord James Murray and my Lord Mungo, sons to the Marquess of Athole, were all this tyme lying at Inverness and could gain no ground of Lord Simon. They sent Duncan Forbes of Culloden, very kindly, and one Captain Robertson * to commune with Lord Simon and to ask him if his Lady was in life or not. Both these gentlemen having

* Leonard Robertson of Straloch, mentioned in the *Life of Lord Lovat.*

come to the Ferry called for the boat to bring them over to the Island * where Lord Simon was.

Major Fraser then commanded the guard, who was then called by one of the centrys, and told him that there were two gentlemen calling the boat. The Major went immediately and saluted Culloden and Captain Robertson, and asked their commands. They told they

*"The Island of Aigas is situated in the channel of the Beauly river, which on either side of it rushes deep and furious ; where not a torrent it eddies into inky pools overtowered by rocky precipices. At the upper part of the island the banks are not precipitous, and there, where the waters are wider and less furious, a boat may pass across" (Hill Burton.) The passage in the Kiltarlity volume, where the retreat to the island is mentioned, proves the questionable origin of the book. The Minister of the parish could not have written— " . . . with only one Servant to attend'em, they rode towards the seaside where having disposed of his horses he took Boat which carried him, and his Lady, and Servant to a little obscure Island called *Agis*." (p. 41).

were sent by Lord James and Lord Mungo Murrays to know if their sister was alive, and if they could see her.

The Major told them that he would acquaint Lord Simon, which he immediately did. Then Lord Simon came out and brought a botle with him towards the side of the river where these gentlemen were and saluted Culloden, but for Mr Robertson knowing him to be of the Marquess of Athol's party, and that he came out as a spey, gave him threatening expressions; but told Culloden, as he knew him to be his friend, he would call out his Lady that Culloden might have the satisfaction to salute and kiss her, and that she might tell him from her own mouth that she was well, and pleased with her marriage.

Major Fraser, who was then present, was sent for her, and she came along with him. Lord Simon brought over Culloden in the boat, and left Mr Robertson on the other side. Culloden having met my Lady after saluting her asked her if she was lawfully married, and pleased with her marriage; and that her brothers had sent him to know the same. She told them that she was, whereupon Culloden took a glass, and after parting came back with Mr Robertson to Inverness, and made report to her brothers of what she said.

Within two days thereafter Lord James and Mungo with my Lord Forbes and his troup of horss marched towards Castle Downy which was my Lady's dwelling-house, tho' not there at the tyme.

My Lord Forbes wrote a letter to Lord Simon signifying to him that he was pleased with the accounts his cousin Culloden had given him of my Lady's situation, and entreated of him to satisfy her brothers, that he might send her that lenth, upon his parole of honour she would return to him upon owning her marriage.

This letter having come to Lord Simon [he] called his Lady and gave her the same to read, and asked her oppinion of it. She answered in these very terms :

"Would you send me to these gentlemen? If you doe you shall never see my face again, nor dares my Lord Forbes be answerable to part with me, my Father being the man who got him into post, and as I know," said she, "that his malice

will run against you, and that if he gets hold of me I must decline you, as never to be married to you."

Whereupon he asked her what she would have to be done. She told him that if he had a mind to keep her as his wife, to send her to his mother's kin in McLeod's country.

He answered, the storm was so great in the hills (as it then was) that it were not possible for men and horses to travell, but he begged of her that she might go to see her brothers, and own her marriage, and that he was sure my Lord Forbes, as a man of honour and as he had his letter, would return her safe again. Whereupon she fell in a flood of tears, and told him that at his desire she would go, but he needed not expect to see her again back, since she knew better than he

did, the command laid upon them by their father and mother.

But Lord Simon insisted upon my Lord Fraser's [Forbes' ?] parole of honour. Then horses were saddled immediately and soon, against her will, she sett off accompanyed with a single gentleman, Alexr. Fraser of Culduthall,* and her waiting maide, one Mistress McBrear.

When they came to Castle Downy, my Lord Forbes saluted the Lady with all manners and asked her if she was lawfully married to Captain Fraser of Bewfort. She answered that she was. Whereupon her brother, Lord James, took up his foot and gave her along the belly,—

"You damed ——, do you own yourself married to such a villian?"

Whereupon Culduthall, seeing

* The Major's elder brother.

his Chief's lady soe used, closes upon Lord James, but was overpowered. The Captain of the guard was immediately ordered to see her to her horse, and to carry her off: which accordingly was done.

Then they came on their way, past through Inverness that night; and came to the house of Mr William Robertson's of Inches; next day took their journey South, where she was delivered to her father and mother at Dunkell; and then she was made to disown the marriage, as she professed herself before.

Lord Simon at this time being in a great confusion, sent off a single gentleman of the name, one John Fraser,* brother to Culduthall, with a private letter to the Lady, to be conveyed into his Lady, which he

* Another brother of the Major's.

got effectuate. But before she had well read the letter, the matter was discovered by a maid, who waited [on] her closs. And her mother then coming in a hurry on her, she threw the letter into the fire. Immediately she was made to confess how she got that letter, and who had brought it. The same being discovered, the poor gentleman was immediately seized and put in a dungeon, where he continued three months; but when they gave over hopes of his life they let him out.

Then the Marquess of Atholl got a power to march the troups against Lord Simon and such of his whole name as joined him; and the Marquess of Atholl then joined the King's forces, with eight hundred of his men. Then Lord Simon was forced with a select number to

desert his country, and to get into the Isles of Skye for his protection, while the troups and Atholl men stayed in his country, destroying all before them.

Upon their returning home, he comes a start back to his own country. The Marquess of Atholl being apprised of this by William roy—whom I spoke of before—marching 300 men with a night march into my Lord Lovat's country, thinking to surprise Lord Simon by taking him dead or alive. He being then alarmed of this, and in the heart of his Highland country, got all to arms, and made prisoners of the Marquess of Atholl's two sons, Lord James and Lord Mungo, and Major Menies who commanded the party.

But Lord Simon being then easie

in his temper, and thinking to gain the Marquis of Atholl's favour by sparing his sons and his men, lett them go free with their lives and arms; which thereafter he had much repented. Then Lord Simon was lurking up and down the country, and the troups always in search of him, as being falsely accused of a rapt. And Lord Simon being then advised to raise letters of Exculpation for to prove his innocency of the alleadged rapt, charged 50 witnesses to Edinburgh to prove his being legally married, and both the ministers who married them first and last. Lord Simon and they appeared at Edinburgh upon a protection, the said Lord Simon having no great power except by the Duke of Argyle who stood by with all his interest.

Then in some few days the Duke of Argyle found that the Marquess of Atholl's Lady and family had such an influence upon their daughter, that she was to declare in face of judgement that she was not lawfully married to Lord Simon. Whereupon the Duke of Argyle, finding this, went to Sir James Stewart,* the King's Advocate, and consulted how far it was safe for his friend, Lord Simon, to appear. Sir James answered—

"My heart, my heart, my Lord let your friend make the best of his way this night, for if he is found tomorrow in Edinburgh, I would not give a sixpence for his head."

* Sir James Steuart of Goodtrees, Lord Advocate, who is said to have figured somewhat equivocally at the time of the threatened invasion of 1708. See *Dalrymple's Memoirs*, vol. ii. p. 40.

Whereupon the Duke of Argyle sent Lord Simon off with his horses and money, and desired him make the best of his way to his country house near Newcastle.*

My Lord Simon's party that he

* Archibald, 10th Earl of Argyll, married Lady Elizabeth Tollemache, daughter of the Duchess of Lauderdale. On account of many disagreements the Earl left her and lived entirely at his seat called Chirton, near Shields, Co. Northumberland.

By letters patent of 3rd June 1701, he obtained a Dukedom for himself and "his heirs male whatsoever," a remainder which enabled the male descendants of the 9th Earl to succeed on the extinction of the first Duke's line of male heirs. The first Duke died at Chirton of wounds received at a small house in the grounds of Chirton estate (and not in the manner usually stated). He was carefully attended by Mrs Allason, to whom he left the estate on his death, which took place on 25th Sep. 1703.

He was an active promoter of the Revolution, and was one of the Commissioners from the Scots Parliament deputed to offer the Crown of Scotland to the Prince of Orange. For his services the family's forfeited estates were restored to him.—*Communicated by Lord Archibald Campbell.*

brought south with him upon the Exculpation made the best of their way home.

The Marquis of Atholl finding this denunced them all rebells, and tore the coat of arms of Lord Simon at the cross of Edinburgh; then his persecution against such as joined Lord Simon began with a great deal of violence, and were all charged to appear at Edinr. once a year for the space of seven year successive, especially the small family of Culduthall whom he knew to be more sanguine in their Chief's interest than any of the name; especially the man called the Major whom the Marquess of Atholl had fully resolved to make sacrifice of, in terror to all the rest of the name.

Chapter II.

SOME tyme thereafter the Major upon a citation appearing at Edin. with two brothers of his went to make their grivance to the Duke of Gordon their superiour, who was then prisoner in the Castle of Edinr. and he wrote at their sight to the Marquess to befriend those young men, his friends. The Marquess returned

for answer that one of them he would see hanged before he went home, which answer pickt* my Lord Duke very much; he sent immediately for his lawiers whom he employed for those young men—the Major being cousin german to Sir David Forbes who was then advocate, and bringing his brothers with him told Sir David how the speat† ran against them, who told them that he would endeavour to defeat the Marquess in his design that way. However it proved very expensive and troublesome to those poor gentlemen being keept three months in Edinr.; which was but the first of their troubles. Being charged once a year purposely to

* Piqued.

† *Spate*, a flood, or torrent.—*Jamieson.*

ruine them since he could not wine at * their lives.

Lord Simon staid awhile lurking in England, and his poor friends persecuted at home, which continued for several years, till the most part of them were reduced to poverty, and garrisons keept in their houses, and themselves and their children exposed to the mountains, and to the charity of good people.

Lord Simon then took banishment to France, and came to the Court of Sant Germans where he was well received by King James the 7th, who told him that if ever he was restored he should give him satisfaction of the Marquess of Atholl. Lord Simon then having continued there, made interest with

* *Win at*, succeed in reaching.

Mar-chi de Torcy and Mar-chi De Frasilier * by the meanes of some Jesuites that he drew up with, and professed to be of that church—by which means he got himself in favour with the King of France, and the more that he was originally a Frenchman, as all the Frasers are come from that country.

You may believe as the gentleman was not bleat † he soon ingratiated

* The Marquis de la Frezeliere, between whom and Lord Lovat "an act of recognition" in respect of the connection of their families was formally signed and recorded, was a very distinguished soldier with a brilliant reputation acquired at the siege of Lisle and battle of Malplaquet. A man of boundless ambition, which on one occasion entailed imprisonment in the Bastile. The Marquise de la Frezeliere was one of Simon Fraser's correspondents after his return from exile. In an interesting letter of this lady addressed to "Milord Frezel de Lovat, à Lovat, en Ecosse," occurs the passage—"Quoi que vous me puissiez dire contre l'ambition, elle ne mourra dans votre cœur qu'avec vous. Elle est l'ame des Frezels."

† *Blate*, bashful.

himself, and by the means of those gentlemen got a pension settled upon him ; and besides, had a living of the Court of Sant Germans while King James 7th lived. But after the death of King James the said Lord Simon stuck closs to the French Court, and was a favour'd of the French King's. King Lewis of France to try Lord Simon's fidelity sent him over to Scotland in the year 1701 * with a gentleman of the name of Murray, a son of Murray of Aberkerie [Abercairney] who was sent with him to be a spey over him in his behaviour with the heads of the Clans ; which was then his commission from the King of France (the same being in the main but a sham to make a nois) that he was to invade, and if the Clans were

* This was probably in the year 1703-4.

hearty for the Pretender, that he would send him over with a powerful army. This was only a Politick design to make a diversion in Flanders.

Lord Simon having come over upon this design, accompany'd by Mr Murray,* came to the Castle of Drummond and sent for the leading men of the clans, who when they met, were very sanguine in their King's interest (as they called him) and none more hearty than Lord Simon. It came to a dispute among them who should be General, upon which dispute they split. But Lord Simon to cement them together told them that he thought it was none of their interests to contest for the preference of that high station

* Murray is understood to have been sent to watch Lovat's movements. *Macpherson's Papers.*

and place, that when the King landed he would determine that affaire and to let them know, tho' he was a Chief himself, he would make no dispute to serve his King. So, far from it, he would take a halbert as a Sergeant, to see them act like men.

Now Murray who was present and heard Lord Simon express himself after this manner was fully satisfied of his integrity in that affair. They having, thereafter, come off both together and settled thier affairs with those gentlemen, Lord Simon thought proper to leave Mr Murray, and pretended to have business of his own to do; and, thereafter, went privately to the Duke of Argyle, who was then at his country house near Newcastle, and discovered the whole affair he was come about, and told him these words,—

"My Lord Duke, as you was always my speciall friend, I cannot conceal anything from you;"

And enjoined him to take care of him, and if the cart t . . .*, meaning the Pretender's interest, he would take care of him. And he having, thereafter, parted with the Duke of Argyle, went at the same time to the Duke of Queensberry, and discovered the matter to him, as he did to the Duke of Argyle, with the same expression. Then he came and met with Mr Murray, and they both went on their journey thro' England, till they came to London, where Lord Simon met with Colin Campbell† a cousin german of his, and the

* The word is partly illegible; the meaning seems to be, "if the cart tint, or lost, a wheel."

† Campbell of Glendaruel, who was accused by Lovat of having divulged the plot. See his *Memoirs*, p. 200.

greatest Jacobite that was in his days. They trysted and met privately, and Mr Murray being then about some other private business, and they being closs together in a room with a great many papers upon the table before them, and among which there was a packet of letters that Lord Simon wrote to his friends in Scotland, the same being sealed with a direction to Alexr. Fraser of Culduthall or James and John his brothers, the landlord of the house being a Jacobite, and knowing them to be such, came in a hurry on them, told them to make their escape, that there was a party just coming on them. Lord Simon being then conscious to himself, and knowing that his mortal enemy the Duke [*sic*] of Atholl was then there, and that he knew this search was by his means, got immediately

out at a back door, and left Glenderuall at the table, where he was seized with his whole papers about him, and he was carry'd that night to prison. The Duke of Atholl whom they suspected, and not without grounds, got hold of all the papers, and particularly this packat directed to Culduthall, which was sent north with an order from the Ministry to seize him and his brothers, and bring them to the high Tolbooth of Edinburgh, which accordingly was done, where they payed sufficiently for their oppinion.

Now I shall return to give account how Lord Simon made his escape, and I leave Glenderuall in Newgate, where he continued for two years. Lord Simon went straight for Wapen [Wapping] where he

found the packat boat going off for Holland. He having landed there went up his way into the Court of Sant Germans, and told them his whole transactions in Scotland, and also told how he came purposely to London to see his cousin Glenderuall to concert with him how matters would be brought on in their master's interest. He having continued there for a while, the Marquess of Atholl's being informed of his being in Scotland, and having got account that Mr Murray did not return with him, the Marquess of Atholl, who was a great man at the Court of Sant Germans, and also with King William, as his family always continued so, playing with both hands, wrote a letter to the Court of Sant Germans, giving account that Lord Simon had been

with the Duke of Argyll and the Duke of Queensberry and had discovered the whole design then in hand; and, for aught he knew, had murdered Mr Murray who came along with him, that he might not go back to discover his knavery.

Mr Murray being out of the way when Lord Simon made his escape was left in the dark, not knowing what became of his commerad, and lurked at London three months to find him out. When he found that he could not get account of him, he took occasion of a ship bound for France, and was beat back upon the coast of Denmark, so that he came not home for nine months after Lord Simon.

This confirmed the Marquess of Atholl's false account to the Court of Sant Germans, who believed

Mr Murray was killed. But all this time while Mr Murray was away, Queen Mary was confirmed that it was matter of fact, and went in person to the King of France, and beg'd of him that he would withdraw his countenance from Lord Simon, who had betrayed her son's interest in Scotland, and had murdered Mr Murray. The King of France told her that he had settled a pension upon him, but if that could be proved, to satisfy her he would not only lose his pension, but he would hang him.

At that very juncture it happened that Mr Murray arrived, and was examined before the king how Lord Simon behaved, and gave a very favourable account of him, and told the King of France that no man could behave better among the

clans, and as for any other action of his when he was not with him, he could not answer for it.

This did not stop Queen Mary's repeated applications to the King of France, she having letters by every post from the Duke of Atholl entreating her to prevail with the King to put Lord Simon in the Bastile. Lord Simon knowing that at this time the speat was great against him, made his interest with the Jesuites, and professed Lewis' religion, and entered into that sect, which was strongly backed by the great Mun-si Culbert [Colbert] and Mar-chi de Fraselier. Yet, on end, Queen Mary with tears on her cheeks, prevailed to putt Lord Simon to confynment.

A little before this tyme Lord Simon having left a brother in

Scotland upon the charity of his friends, who then was but a boy when Lord Simon left the country, it happened that this brother of his being at a country Fair near my Lord Lovat's house, and the Marquess of Atholl designed to rout out the Frasers and to make a marriage with the Mackenzies of his grandchild, the heiress of Lovat, who lay near them; and as they thought (I mean the Marquess of Atholl) the Mackenzies to be supernumerary, his whole design was to make the Frasers a sacrifice, and having the heiress in his possession, possessed himself of the estate, and called for one Captain John Mackenzie, who lived then in that country, and gave him a factory to uplift the rents of the estate of Lovat.

This brother of Lord Simon's, as I said before, being at a public fair the commons of the country, having a regard for him as having no more of that line extant, in a mad passion induced the boy to go upon their head to destroy this Captain Mackenzie and his whole family. They having come to the house did sett fire to the four corners of it, and burned up the same to ashes, and took the Captain prisoner, and made him give, under his hand, that he would never possess any part of their country. This incensed the Marquess of Atholl more than ever; whereupon he got out all the lawes that could slay the man, against Mr John Fraser,* Lord Simon's brother

* "It is well known that that worthy brother of his was fugitate by sentence of the Lords of Justiciary for willful fire-raising and burning of Kinnaires' house of Fanellan to ashes (the best

and all his associats. So that Mr John Fraser was forced to leave the kingdom, and go for protection to France where his brother was.

He happened to come there before his brother, Lord Simon, was put into confinement, whereupon Lord Simon's applyed [to] the King of France for a pension to them both, which he granted, and settled 5000 Livers upon Lord Simon, and 500 upon his brother, and ordered them both under the protection of the Governor of the Castle of Angelem, where they continued three years, yet all this tyme kept a correspondence with such of their friends as they could trust to,

house in all that country side) and that in the night-time, so that with great difficulty the gentleman that lived in it escaped with his life, and yet this fine gentleman is said to be forced to leave his country for his steady adherence to the Protestant succession."—*Anonymous letter, dated Edin., Sept. 20th 1716, in the Charter chest of the Duke of Sutherland.*

especially the family of Culduthall and Alexander Fraser of Phopacey.

It happened as they were in the end of three years there that the Dolphin of France had a son born to him and a great solemnity was held over that whole kingdom. Lord Simon who never wanted his intrigues and designs, begged of the Governor of the Castle to allow him to make some appearance on that occasion. There being a little village there, Lord Simon ordered a hogshead of wine to be brought out to the open street, and called all the townsmen to drink out with their caps and hats to the health of the cheild then born; and when he found that this had not fuddled them, he caused bring out two hogsheads more and caused beat both the ends out of them, and made them all sprall

on the streets drunk; which was caused be put immediately in the news.

His friends at the Court of France having in the news seen this, they went immediately to the King of France, and told them that this power [poor?] Scotsman had exceeded all the solemnitys made in France. Whereupon the King ordered Mar-chi de Torci to remit Lord Simon a purse of 500 livers for his expence, and ordered him his choice of any county in France to live in as his prisoner; and gave him 50 miles to visit for his pleasure, only he was not to goe out of France without his allowance, and leave from the Court of Sant Germans. He made choice of Somoir [Saumur] as a cheap place to live in, at the same time fit for keeping closs cor-

respondence with those that he could trust to; but most of his clan believed him to be rotten in the Bastile.

The Marquess of Atholl (as I said before) being designed to swallow up the Frasers, since he knew that he was not able himself to do it, called for my Lord Prestonhall, and made up a match between the heiress of Lovat and Mr Roderick Mackenzie his son, who after their marriage were in possession of the estate of Lovat sixteen years. The poor name of Fraser was then looked down upon by all the neighbouring clans, and encroachment made on them dayly by the Mackenzies. The most part of the name of Fraser who knew nothing of their natural Chief's being in life came

into all terms with Mr Mackenzie of Fraserdale till the year 1713, at which time this Mr John Fraser brother to Lord Simon, came home to Scotland, and he having landed near Argyleshire accompanyed with a Frenchman, the lawes of Scotland being against him for fire rising (as I said before) came *incognito* to the house of Major James Fraser, who was very much surprised to see him, but was resolved to run all hazards with him.

The Major immediately sent for Alexr. Fraser of Phopachy, he being his brother-in-law, and a man he could trust. The Major and Phopachy having met and consulted, thought proper to send for the gentleman whose house Mr John had burned, and offered him the value of his house and furnitter, and

the same gentleman to whom the house belonged being a great creature of Fraserdale's, who was in possession of the Estate of Lovat, by this means of making it up with him; the Major and Fopachy thought that this would be the best way of taking off the law of fugitation against Mr John. This gentleman having met with them on this communing told them that certainly Mr John was in the country befor they would make such proposals, and for his part he would come into no terms untill he saw him, and then he would give his answer.

The Major retired from the company, and came to Mr John, being then hidden in a back room, and told him all that had passed, who immediately came out and saluted the gentleman. The gentleman find-

ing this, swore fidelity and secrecy, and appointed another day of meeting with them, and he went immediately to Mackenzie of Fraserdale and told him that Mr John was come, and that his coming would make the Frasers opish [upish?], and since he had the law at his foot against him, it was proper he should procure a warrand to apprehend him. My Lord Mar being then Secretary of State to Queen Ann and he and Fraserdale being intimate and both Jacobites, Fraserdale soon procured an order for apprehending Mr John who was all this tyme kept private in the house of Major Fraser.

Phopachy and the Major being affraid of his being there discovered, since orders were given out to the two Highland companys of Colonels Grant and Mackenzie to apprehend

the person of Mr John Fraser, dead or alive, those two gentlemen thought proper in the night tyme to travel to the house of Mr——*. Lord Charles Fraser † with Mr John, who was his near relation, and William Fraser of Inveralachy, who lived with my Lord Fraser, they having consulted together the method they thought proper to send Major Fraser with their joint letter to Fraserdale, who lived at the tyme at Prestonhall. The contents of their letter was, entreating as they were gentlemen in the same cause with him (mean-

* Name erased.

† The family of Castle Fraser was raised to the peerage by Charles I. in 1633. Charles, Lord Fraser, was tried for high treason, 26th March 1693, on a charge of proclaiming King James at the Market Cross of Fraserburgh, in June or July 1692. He was proved to have been present and to have drunk the King's health, and the Court fined him £200. The title became extinct on his death without issue.—See Arnot's *Criminal Trials*, 1785, p. 75.

ing the Jacobite cause) that he might prevaile with my Lord Mar to take off the fugitation of their cousin Mr John Fraser and that they would oblige themselves that he and all the Frasers would join hearty in that onerous cause they had in hand.

Whereupon Major Fraser was sent off with this letter to Fraserdale at Prestonhall—and when he came there, having delivered a letter, Fraserdale called him to a bye-room and asked him where he left Mr John Fraser.

He answered that he left him at Castle Fraser, where he designed to stay till he got his favourable answer.

Fraserdale told that he would not find his answer favourable; and in place of taking off the fugitation, if there was laws in the Kingdom he

would have him dead or alive; and that he hoped before a twelve-months; and to have the gentleman's head who received him favourably go the way that his grandfather's head went (meaning my Lord Isla) who received Mr John Fraser at his landing from France at the place of Inverara.

Major Fraser answered that counsell was no command, but if he was pleased to allow this poor gentleman, meaning Mr John Fraser, to stay in the country, it would sement the whole name to him, even if he should give him his dyet at his own table, and that it would be a mean to turn off their thoughts of his brother to return, which I must say was then despaired off; only that the Frasers knew that he was in life.

When Major Fraser came back with this return to Lord Fraser and Inveralachy, they were very much straitened what should be done; but it was condescended, in end, that Major Fraser and Alexr. Fraser of Phopachy should go with Mr John to the Isles of Skea [Skye], to his mother's kin the McLeods, for fear of any attack on him, since Fraserdale had sworen to have him dead or alive if he kept Scotland. And under silence of night he went off with Phopachy and Major Fraser from Castle Fraser, and laine at the Major's house; there he continued untill necessaries were prepared for going with him to the Isles.

Some days before he tooke journey, Phopachy and the Major called four gentlemen of the name that they could trust to, and concerted

measures what should be done. They swore fidelity and secrecy; the method condescended upon was to send Mr John (as I said before) into the Isles of Skea, and that in the month of Aprile thereafter, since they were informed that Queen Ann was dangerously ill, who was a mortal enemy to Lord Simon and his family, that one of the six should go off to see if their Chief was in life, and that they were persuaded upon King George's accession there would arise some disturbance in Britaine, and if Simon could be stolen out of France, he might come to fish in drumly* waters.

This being concerted on betwixt Alexr. Fraser of Phopachy, Major James Fraser, Alexr. Fraser of Culduthall, Hugh Fraser of Foyers,

* Troubled or muddy.

Hugh Fraser of Struy; in the beginning of March 1713 Major Fraser and Alexr. Fraser of Phopachy went off clandestinely, to meet with Sir Peter Fraser of Doors,* who was very well know to King George the first, and was three years at his Court in Hanover. Those gentlemen told Sir Peter the whole relation as is all before written.

Sir Peter asked those gentlemen if they were sure that the whole clan of Frasers were Protestants and that they were for the succession of the family of Hanover.

They assured him they were, whereupon he answered that upon their credit he would write to King George to Hanover, assuring him

* Sir Peter Fraser of Durris, in Aberdeenshire, is mentioned in the "Spalding Club Miscellany," vol. II., as a correspondent of Lord Lovat's.

of the whole name of Frasers if he had any thing to do ; which accordingly Sir Peter did, and Major Fraser and Phopachy returned home, and called for the other gentlemen, and told them what they had done with Sir Peter Fraser, which they approved off.

The matter in hand then was, which of them should go off to find their Chief; it was put to a voit,* and the voit fell upon the poor Major, who had then eleven small children; and he not being bred a schollar, and having no language but his mother's tongues the English and Irish,† thought it a hardship to leave his wife and children to go to a foraigne country, where

* *Voit*, or *voice*—to vote ; the word is thus used by Shakespere.

† That is Erse, or Gaelic.

he understood none of their language. However he resolved to venture at all hazards, but the great question was to prepossess her [his wife] of the storry and to swear to secrecy.

This was concerted in April 1714.

Major James Fraser being cousin german to Brigadeer Mackintosh of Borlum,* he drew up strongly with him, and pretended to be in the Jacobite interest, he knowing his cousin to be a great man with the

* Brigadier William Mackintosh, at the time spoken of, was "younger of Borlum," a near relative of the Chief of the Clan. He was a graduate of King's College, Aberdeen; he had been a Captain in King James' Army before the Revolution, and had seen much foreign service. He was one of the insurgents who surrendered at Preston. Afterwards with other prisoners he broke out of Newgate by force; but was re-taken. For fifteen years he was a prisoner in Edinburgh Castle, and there wrote a valuable work on "Enclosing, Fallowing, and Planting Scotland," which was published in 1729. Brigadier Mackintosh died in Edinburgh Castle 10th May 1743, aged 85.

Pretender, discovered partly his mind to him, such a part as he thought fit to be palatable to him, and told him that he was designed to go off to France, the first of May after; and if he was pleased to give him credentials, to the Pretender, that he might expect if there was anything adoe, that the King, his master, might be sure of the whole Frasers. Whereupon the Brigadeer immediately jumt to the baite, and gave his cousin, Major Fraser, such credentials as was proper for that occasion, but withall told him that there was a letter which he saw with the King (as he called him) by which he was affraide off would stand the Major a pull to get over. The Major begged of his cousin to let him know what it was, which he would not do at that time,

fearing it would discourage the Major from his journey. They having parted in good friendship, and the Brigadeer wishing the Major good success.

Chapter III.

UPON the first day of May, be four of the clock of the morning, the Major took journey from his dwelling house with his habersack [haversack] and left his wife and children spralling on the ground in tears; and proceeded in his journey till he came to Newcastle; from that went down to Shiels, and took occasion of a collier's vessel going for London.

When he came there he discovered his design to my Lord Isla, Sir James Campbell of Arkinlies,* and John Forbes of Culloden. I cannot say that my Lord Isla seemed to be hearty in the designe in hand; the reason I shall hereafter tell you. But Sir James and Culloden were very sanguine, and gave Major Fraser a good bould of Punch the night before they parted, and wished him good success at parting. The Major went off for Gravesend, and there found a little

* Sir James Campbell of Ardkinglas, 2nd Baronet; his second wife was Anne, daughter of Captain Callander of Craigforth, Stirlingshire, the widow of a remarkable and worthy man, Colonel Blackader, Governor of Stirling Castle. Helen Campbell, heiress of Ardkinglas, married Sir James Livingstone, Baronet, and it was through their only child, Mary Livingstone, espousing John Callander, the critic of Milton, that the Highland estates ultimately came into possession of the family of Callander of Craigforth.

smugler of a vessel belonging to a Frenchman, with whom he engaged to goe aboard of him for Callies [Calais].

The Major not having tyme to bring in any provisions aboard, only a little bread and cheese, thought of noe drink; the winds being contrary, was very sore put to it by the rascals. The Major not having their language was like to fall foul of them; and, in end, their cruelty came to such a height that they would not give him drink, the bread and cheese drying him up, he was necessitate to draw his sword, and was resolved to kill the three (being no more aboard) and to run the vessel to land; which when they saw that he turned so desperate gave him some small beer. But he was thereafter necessitate to watch

for three nighs, for fear they had attempted to kill him. But when they came in sight of Callies, the rascalls demanded his freight. He then stood to his guard, and resolved he would give them none untill they would land him, that he might have justice of them, for using him so ill as not to give him drink and a bed to lay in, which was their paction* at Gravesend.

When we arrived at the pear at Callies the Major steping out, and a great many upon the shoar, the Major called, and asked if there was any there that understood his language. An Irish gentleman there made answer that he understood and spoke that language, the Major entreated of the gentleman that he

* Agreement, or bargain.

might accept of a botle of wine from him. The gentleman said he was ready to give or take one. The Major entreated that he might have justice of those little Frenchmen, who used him so ill in his passage; whereupon the gentleman called for a Magistrate and examined both partys. The Skiper was found guilty of oppression and fined in a gallon of wine, and not a farthing to be paid for his passage; which made us all very hearty.

Next morning before sunrising the Major took journey for Paris; having gon on a half day's journey thought he had mett two mad men, or two come out of hell, which likeness of men he never saw before. He approaching to them drew his sword, and they only looked to him, and past by him. But thereafter

had seen a great many of them, being Capizions [Capucines]. The Major went on in his journey, the day being excessive hot and he very dry came in to a little house which lay upon the road, and made signs to get some milk and water. The woman of the house could not understand him, he was forced to curry* down, and sign the milking of the cow, which she immediately understood, and brought him milk.

At parting with her he proceeded on his way to Paris, but before he came there was challenged at a garrison town on the road, and was brought before the Governour, who by an Interpreter, asked the Major where he was bound, who answered that he was going up to Germany to see two brothers of his that were

* To cower, or crouch.—*Jamieson.*

in the Emperor's service, and had wrote for him. The Governour was very civil, and gave two bumpers of wine. He having parted with him came to Paris, where he found out a relation that was there at education, being Mr Hugh Campbell, a son of Sir Archibald Campbell's of Cluny [Calder* ?].

The Major having stayed there three days, got a direction for Lord Lovat, and went to the city of Orleans; and from that to Somoir [Saumur], where my Lord Lovat resided as prisoner; and after parting with Mr Campbell the Major went on his way, and was severely stressed with the heat of the summer, France being then almost burnt up with the heat. The Major came at last to Somoir, where he found his

* See Lovat's own *Memoirs*, p. 436.

Chief, having met together, for a while Lord Simon could not express himself for joy that he had seen, in that part of the world, the only man that he had loved best of his name.

Lord Simon was then but very low in his person. The Major encouraged him as much as he could, and asked him if he had any thoughts of ever returning home. He answered that he believed not, nor was it possible without getting leave from the Court of Sant Germans; and that he knew that was impossible, by reason that the Duke of Atholl and the family of Hamilton had prevailed with the Pretender never to let him home, and that Queen Mary was his mortal and declared enemy. Upon this subject the Major and he spent some days. The Major asked him if he thought proper that

he should go up to Barlyduke [Bar-le-duc*] and ask the Pretender why he should keep his Chief in banishment to satisfy another party (meaning the family of Atholl) who were never true or faithfull to him or his predecessors; and that the Major would tell him so. Lord Simon answered—

"What, if I should send you off at such a juncture as this, for it is my surprise how you have made the road here without the language

* Queen Anne had at this time privately consented—in opposition to the protests of her Ministers—to the Chevalier de St George's availing himself of the asylum the Duke of Lorraine had offered him in his dominions. For nearly three months the Emperor of Germany had demurred to the grant of a passport to the Chevalier to travel through part of his dominions to Bar-le-duc. The English Cabinet complained that "an impostor like the Pretender was permitted to remain so near."—*Queens of England* (Mary of Modena) vol. vi., pp. 569–574.

of the country; and that you was not murdered, considering that the whole armys of France are daily robing and murdering people for want of bread; besides that the road you would goe, up through the woods of Germany, would be twice more dangerous than that you have already gone."

The Major urged the thing, so that he desired him to fall to work, and write his letters to all the friends he had at the Court of France, or Sant Germans; and to refer the rest to the bearer. Lord Simon calls on [one] to write, and wrote 18 letters, 6 to the Court of France, 8 to Sant Germans, and four to his friends at Barlyduke, of which four a whole sheet of paper written back and fore to the Pretender. The same being sealed and delivered the poor Major

walked off on foot in his shirt with his cloaths on the hilt of his sword, and got a direction from his Chief to an Irish Cordileer [Cordelier, a Franciscan friar] to be his interpreter at the Court of France; which the Major did officiate in the best shape he could, and got a satisfying answer from that Court; which was, if the King of Britain (as they called him) would part with Lord Simon, they knew their master, the King of France, would.

The Major having stayed there 10 days went for Sant Germans, and delivered the first of his letters there to the Duke of Perth, as he was directed and ordered by Lord Simon, as the Duke of Perth was his great friend.

Upon a Sunday morning the Major sent in a gentleman to his

Grace to see him, who immediately gave him access, and brought him into his closet. They having stayed there a considerable tyme, and talked of all affairs, and the Major thinking that his Grace would give him the more hearing, let his Grace see his credentials from Brigadeer McKintosh of Borlum. My Lord Duke asked to whom he had letters there. The Major answered to such and such gentlemen, and that he had a letter to my Lord Middletoun.

"Mr Fraser, I know that my Lord Midletoun is a mortal and declared enemy to your Chief, and since I have a particular respect for your Chief, I will not allow you to deliver his letter, nor let him know of your affair with the King," says my Lord Duke, "you see how far I am your Chief's friend altho' my

Lord Middletoun be my son-in-law; so you'll burn the letter."

And my Lord Duke asked him how long he was to stay there. The Major answered that he would wait of his Grace next morning, and receive his commands. My Lord Duke desired him so to do, and that he would give him directions, and let him know more of his mind.

Then the Major told his Grace that he was a vassel of the Duke of Gordon's, and was well acquaint in that family. My Lord Duke having called for my Lady,* being sister to the Duke of Gordon, and introduced the Major to her, and gave him a botle

* The third wife of James, 4th Earl of Perth, the famous Chancellor of Scotland, created Duke of Perth by James VII. at St Germains in 1695, was the Lady Mary Gordon, daughter of Lewis, Marquis of Huntly; and consequently sister of the 1st Duke of Gordon.

of wine, and desired him to come to breakfast tomorrow; which the Major did; and after breakfast my Lord Duke called the Major into his closet, and asked him if he would know his Chief's hand of write. He said he would. My Lord presented him a letter, which was what Brigadeer McKintosh told the Major before he came from Scotland would be the only barrier in his affaire. This letter was sent to [by ?] Lord Simon with Mr John, his brother, when he went from France in the year 1713. The letter was directed to the Earle of Leven, cousin of Lord Simon, intreating of him to take care of his poor brother, and that he sent him home in case there was any stir in Scotland that he would head the Frasers on whatever side the Duke of Argyle was on. Lord

Leven sent back the very letter to the Pretender, and it was left by the Pretender with the Duke of Perth. This discouraged the Major; but my Lord Duke told him there was nothing for it but a tryall; and that he would write a letter to the King, and another to the Queen Mother, which he would deliver her at Shallio* where she was presently at her devotions.

The Major having received all his instructions from my Lord Duke, took leave of his Grace, who wished the Major good success. Having got then five letters from him, one for the King, one for the Queen Mother, one for Father Innes,† one to Sir Thomas

* The Convent of the Visitation de Ste Marie de Chaillot, the favourite retreat of Queen Mary Beatrice of Modena.

† The Queen's Almoner.

Haikens,* [Higgins] and one to Colonell Scott. The Major having gone off to Paris brought a young gentleman one Mr Hugh Campbell with him to show him the way to Shallio, where Queen Mary was. He having come there called for a servant; an Englishman appeared. The Major asked if he belonged to the Queen; he told he did. The Major told he had a letter from the Duke of Perth to her Majesty. The servant told he would deliver it. The Major and the other gentleman walked in a lo[w] room about an hour; in end, an old matron came to a graite [*grille*], and told the Major that a servant would conduct him to another room, where the

* Sir Thomas Higgins succeeded Lord Middleton as Secretary of State at St Germains. The Earl resigned in the beginning of December 1713, but he retained for some time his connection and influence at the Court.

Queen was to come to him. The servant immediately did as she said, and left Mr Campbell below.

The Major was left in a large room, and saw no entry but the door he came in at. Having walked there awhile, the old matron that first came below stairs appeared, and opened up a graite that was on the side of the room, and told the Major, in English, that the Queen was just a-coming to speak to him.

The Highland Major never having the honour before to be so near a Queen, stood upon his good behaviour. Her Majesty having come to this graite, desired the Major to draw near, and told him (be way of Jesuite) that she was glad to see a Scotsman, and a man so resolute to travel the country of France without the language. And that she was

sure that nothing obliged him to it but his honour of serving his King and his country. With many such flourishing expressions, and also told him that she had a great regard for the Duke of Perth, and that she would write to the King, as she called him, in favour of the Major. With a vaste many protestations she reached out her hand at the graite, and desired the Major to kiss it. And that she wished him all success, when at the same time she was sending him an Aprile earon [errand] and 300 miles to travel, which she might have spared if she had not been a real Jesuite, and, according to her belife, yet in Purgatory till she make atonment to the poor Major for the sweat he lost.

Immediately as the Major parted with her she told him that next

morning she was to wryte to the King in his favours, then at Barly-duke; which would be there three days before him. When at the same time she sent off that morning a currier [courier] extraordinar with news of Queen Ann's death at London, which I knew nothing till I came that night to Paris; it being upon the Wednesday, and Queen Ann having dyed the Sunday before.

That night the news was over all Paris, and a great many Scotsmen having mett in the house where the Major loged with Mr Campbell. Among other discourses that passed a gentleman told that Queen Mary had sent off express for her son to come down to her. The Major smelled a ratt, and found his mistake, if what the gentleman said was true, and that certainly the famous

Itallian Queen had acted the Jesuite. However, at a venter, the Major took journey with Mr Campbell, who was to see him a league upon the road; but they had not gone half a league when they mett four horsemen riding post, and a post-shees behind them. The gentlemen having come up, Mr Campbell, who was a Jacobite, and well known to the Pretender, told the Major that these four riders were the King's servants.

The Major answered—

"What would you think, Hugh, if this was the King in the shees, as the gentleman told last night that the Queen had sent for him express?"

Mr Campbell answered—

"Major, I would not have you think so, if you do it would discourage you on your journey."

The shees having passed we could discover nothing, a screen being drawn over the glass.

They having parted the Major went on his way for Barlyduke, having come to a town called Shallonge [Challons-sur-Marne] where he stayed all night, and in the morning going on, he mett a soldier who wanted the right arm, asked him if he had English, he told he had, and was an Irishman; the Major asked if he came from Barlyduke. The Major asked if the King of Brittaine was there. He said no; but that he was gone from that place five days agoe by an express he got from his Mother. The Major then being at a stand how to behave began *to pray heartily* for the Mother and the Son.

He thought proper to come back

the same way he went, having come on his way a little dull, came to a little town called Mo [Meaux], and he coming down the street of that town saw a stage coach going for Strathsburgh [Strasburg] — a Capizion [Capucine] coming out of the coach, the Major saluted him, and asked if he had his language. He told he had, and was glad to see him, and that he believed he was an Irishman. The Major told him he was, which made the gentleman immediately open. The Major and he tooke a hearty botle together.

The Capizion told him all that had happened the Pretender, that he came express from Barlyduke by an express sent him by his Mother, and had killed two horses by the way, and that as he went in to receive his Mother's blessing (which I

must say she had not much to give) he not having been with her above an hour, message was sent by the King of France that he knew his design was then to go to Brittaine; but—as he expected his friendship —to turn back at that time; that he wonld send him very soon home with a glorious army. Upon which the unlucky Pretender [turned] back; which the Capizion assured the Major of.

The Major parted with his commerad black beard; seriously thought what he was to do. Thought with himself it would be thought cowardish for him to go back, and not make his pull good. However he referred the event to Providence, and went on his journey to Barlyduke.

Chapter IV.

HE having come there upon Saturday night took up his quarters in an Irishman's house, asked his landlord if the King was gone. He told that he was gone from that place that morning for Lunaveel [Luneville], which was the Duke of Lorain's* seat there.

* The Duke and Duchess of Lorraine were the steadfast friends of the Chevalier de St George. In reference to this friendship was written the following verse of a Jacobite song,

The Major having stayed there that night, got up in the morning tymous, and desired his landlord to show him the way to Dr Leslie's lodgings. The Major having come, made himself known to the Doctor. The Dr asked him if he had been with Father Innes.* The Major answered he was not. Dr Leslie,† whom the Major took to be a very good man, told the Major that it was not proper for him to tell the Father that he had made his court to him first, and desired the Major to go immedi-

the date of which is understood to be about this period :—

" By France, by Rome, likewise by Spain,
By all forsook but Duke Lorraine ;
The next remove appears most plain,
Will be to bring him back again,
The bonniest lad that e'er you saw,
Is over the hills and far awa'."

* The Queen's Almoner.

† Probably Dr Charles Leslie, son of the Bishop of Clogher ; Editor of *The Rehearsal*. He died 1722.

ately and wait of Father Innes, and that he would come accidentally, and that the Major would receive him as if he had not seen him before; which accordingly the Major did.

The Major and Dr Leslie having parted with that Jesuite made an appointment to meet in a private place that afternoon, being the Lord's day, where the Major was to hear prayers. The auditory were few, none but the Doctor, an Englishman, and the Major centry all the time, guarding the door. The Dr and the Major parting trysted to meet next morning, since the Major was to take journey for Lounavile. Monday morning, the Major came to the Doctor, and got part of his morning prayers, who upon parting wished him good success.

The Major then went on his

journey, and came to Lunavile, where the Duke of Loraine then resided. He having come there sent the landlord, who was an Irishman, for one of the King's servants —and when the Major came to ask how he might see Sir Thomas Haikins, secretary to the Pretender, he was shewen into a Park, where Sir Thomas was walking. The Major having mett with him delivered him the letter, when he read the same, he told the Major he would bring him immediately to the King; the Major and he having discoursed some time together, the King came out with a retinue to his walk. Mr Haikens said, "Mr Fraser there is the King coming up." Whereupon the Major went to meet him, without desiring Mr Haikins to introduce him.

The Major having met the King, did cast himself to his knee. He desired the Major to rise, and asked if he was the man that was with the Queen at Shallio. The Major answered that he was the man. The King asked him where he had been all this time since he parted with the Queen. The Major told him that he believed the Queen put him a *gouking*.* Whereupon he smiled, and asked the Major why he thought so. The Major answered that he was informed after parting with the Queen, who desired the Major to make the best of his way to Barlyduke where he would find the King, that the day before she had sent a currier [courier] to the King to come and go to Brittaine upon the news of Queen Ann's death.

* April fooling.

The Major presented him a letter which he put into his pocket unopened, and asked the Major if he had the French language; who told he had not. Then he asked how he found his road thro' the woods of Germany, the Major answered that God's providence and his resolution brought him thro'. He asked the Major if he had any French at all. The Major answered that he had only *three words*. The first to ask the *road*, the second to ask a *bottle of wine*, the third a *bed* at night. He desired the Major to rehearse them in French. The Major answered that he thought shame to repeat them before those gentlemen, but that he would do it when he went to the King's own room. The King insisted on it. At last the Major repeated them, when

they all burst out a laughing. The Major stood grave, and told his Majesty that he was glade to come 12 or 13 hundred miles to make his Majesty laugh soe hearty. He told the Major that it was an admiration to him how he made the road to that place, with these three words only, and that when he got himself established, he would *canonicall* him for his adventures. He walked a while in the Park, and then went into his bedchamber, accompany [ed] with Sir Thomas Haikens and the Major.

He took out his letter, which the Major gave him before; after he had done reading of it, said that the letter was very *promising* which he brought from his Chief, but for his part he did not believe one word of it, considering that when he sent

home his brother John he had written a letter to Lord Leven to desire his brother to raise the Frasers in case there should be any stir upon the Queen's death, and to espouse that side whichever it was, that the Duke of Argyle took. Which letter he took out of his closet, and asked if that was his Chief's write.

The Major told he had seen the write before with the Duke of Perth, and that it was very possible that his enemys in Scotland might have forged that letter, particularly the family of Athol, who was his mortal enemys, and knew his hand-write when he was a boy. He answered the Major that he had it from as sure a friend as he had in Scotland (Lord Leven) who told him to keep Lord Simon fast in prison.

The Major replied. If it was

proper to lose a thousand good Frasers to satisfy a family that could not bring twenty Murrays to the field. He answered that he would be Chief of the Frasers himself but for that gentleman (Lord Simon) he should never go out of France if he could [stop him.]

Whereupon the Major told that his commission from the name of Fraser was to declare their minds, which was, that if he would give them their natural head and Chief they would venture their lives and fortunes in his cause; and if not, that they had declared that if they should dy to a man, they would never draw a sword for him or any of his.

Whereupon, with a smile, he took the Major by the button of his cloths, and told him that he was sure he would *feight*. The Major replied

that his *feighting* was of no great use to any man, and that he behoved to do as the rest of his clan did.

Whereupon he answered and desired the Major to draw out a list of all the chief heads of familys of the whole name of Fraser, and that he would give commissions according to their stations; and remit a thousand guineas to Edinburgh, and the Major to dispose of it as he thought proper; and to give commissions to every one of them, according to their rank, and to be upon half pay till his restoration.

Whereupon the Major answered that he had no such commission, nor could he betray his trust to his friends.

When he found that nothing would prevail with the Major, he went to his closet and brought out

four medals of silver and gave to the Major, and told him that he expected to see him dy a Collonell in his service.

Whereupon the Major answered that he was sorry his Majesty took the wrong way to gain better folks.

The Major immediately asked his commands for Scotland.

He answered, and desired that he would not go near Somoors where his Chief was, but that he would go streight for Rowan [Rouen]; and that he would order Robert Arbuthnet,* his Factor there, to land him in any part of Britaine he pleased, and that he would give him no money at that time for fear of being murdered, as there were murders and roberys daily committing; it being

* Mr Arbuthnot, brother to Dr Arbuthnot, some time physician to Queen Anne.

the year after the Peace.* That he would order Robert Arbuthnet to give him his charges and his passage.

The Major answered—he begged to be excused, that there was a necessity for him to go to Somoor to speak to his Chief that he might order home some supply for his brother, whom the Major left at his house in '09 when he came abroad.

[The King said?] that if he allowed him that favour, he hoped it would be nothing prejudiciall to his interest. The Major told him it should not; for the Major thought then it was no sin to have some mentall reservation, more than one of his persuasion thought there was in destroying a heretic.

* The Treaty of Utrecht, signed 11th April 1713, which ended Queen Anne's wars; and seriously injured the Stuart cause.

The Major took leave of his Majesty: and as he was going down the stairs with Sir Thomas Haikens a gentleman from the Court spoke to Mr Haikens, and told him that the Duke of Loraine was curious to see that Scots Highlander that had come to see his King. Whereupon the Major was called back: and kept ten days hunting and halking; for the Duke of Loraine never thought that he rode a horse-back, having come such a journey a foot.

And, as he was a mighty fine Prince, the night before the Major came off the Duke called for an Irishman that was one of his grooms, and ordered him to give any horse in the stable the Major chose, with furniture and pistoles, whatever time he went off: and the Lady Duchess

sent him a tobacco pype worth 3 pistols [pistoles].

The Major next morning came off be four o'clock, called for the groom, and received his horse. He then went on his journey to Somoor, and coming thro' the city of Orleans, walked a foot, and leading his horse in hand, the weather being excessive hott. An Irishman who keept a tavern there came out, and spoke to the Major in English, which was very refreshing to him, not having heard any of it for twelve days. The Irishman having gone to the stable, fancyed the Major's horse, and offered 23 Pistols for him. The Major, having a piece of vanity, told the Irishman the horse was a present from a great man, and that he would endeavour to carry him to his own country.

Then the Major proceeded on to Somoor; it being ten o'clock at night when he came to that town, was joyfully received by his Chief; which very soon changed. The Major having brought* over from Scotland a little valet of the name of Fraser, which Lord Simon wrote for two or three years before that, the Major trusted this little rascall as much as if he was his own son, and was at a great deal of pains with him, the weather being excessive hott from Callies to Somoor, where he left him with his Chief till he came down from Germany. The night that I came to Somoor back (as I said before) very much regal'd, and after a while's conversation went to bed

This little fellow came to his Chief

* Probably we should read "sent." The Major was certainly alone when he arrived in France.

in the morning, and told him as a great secret that he had seen a great packet of letters with the Major, and that he was sure the same was all commissions from the Pretender, and that certainly he had his horss from the Pretender, to make the best of his way home to Scotland with the Packet he had, and that he was sure he had a great weight, either of gold or silver, in one of his side pockats of his bridges [breeches].

The Major having risen out of his bed, after putting on his cloths, came into the room to salute his Chief, who looked like a Tyger on a Chaine, and asked the Major if it was to betray him that he came to that country. The Major being in a great concern at that sudden change, and having a clear con-

science asked his Chief what he would be at? or if a familiar of the Church of Rome informed his Lordship of anything against him?

He answered, in a great passion, that it was a better Church than any he pretended to be off.

The Major told him—according to his faith be it unto him; for he should not be any of that Communion. Lord Simon continued in that passion till dinner time of day.

The Major finding that he had at his stomach something extraordinary, put on his cloths, and made ready his horse, and came in to ask his commands for Scotland. He, like a Jesuite, threw himself about the Major's neck, and told him if he should leave him he never expected to see his country. The Major conjured him

to let him know the reason of his passion that morning ; which he concealed as murder, and made a thousand excuses, and in those very words said,—

" My dear Major, you know my failing, and [I] am naturally passionat ; and that you are the man on earth that has best reason to sympathize with me ; for, by God, (as he expressed) if I be to conquer a Kingdom, let be the estate of Lovat, you shall share more of mine than my only brother John will doe."

Those protestations and asseverations made the poor Major soon yield, having nothing in view but to recover the name of Fraser from the bondage of the Mackenzies, since the name of Frasers were so fond of their own natural chief, that

with all the hardships the Major could meet with, he was content to sacrifies his person and family to get him brought home.

But then Lord Simon turned himself into another shape, and called the Major into his closet to concert with him what should be done. The thing condescended on betwixt them was that in two days thereafter they should both take post, and meet King George the First who was not then come over to England, but at the Haike [the Hague], and there to get his parden. This being concerted on, Lord Simon sent for his Physician, and consulted him whither or not it was safe for him to ride post, considering the state of his health. The Physician told him it was not, and three days posting

would kill him. He being always very tender of his carcass, stopt that design.

The next counsell was held betwixt Lord Simon and the Major. The conclusion was, that the gentleman valet (I spoke of before) was to be sent with my Lord's credentialls to London, to see what encouragement his friends would give him to go home if, possible, he could make his escape out of France. The method then to fall upon be the Major and his Chief was how to secure themselves in that Kingdom till the valet returned from London, they being affraide that the Pretender would prevail with the King of France to put Lord Simon in closs confinement. Whereupon the Major and his Chief went of to the South-

west of France, and there lurked for seven weeks, untill the valet returned, who brought some encouragement from some of our friends, especially Brigadeer Grant* and John Forbes of Culloden, but little from our great friends that Lord Simon thought would do all for him (I mean the Duke of Argyle† and his brother). This put Lord Simon in a great consternation how to behave.

* Alexander Grant of Grant, Brigadier-General, Lord - Lieutenant of Inverness and Banff. In 1710 his father resigned his estates to him; he succeeded his father in 1716, and died in 1719.

† This was John, 2nd Duke, who succeeded his father (mentioned earlier in this narrative) in 1703. He commanded the Royal Army in Scotland, and fought at Sheriffmuir. He was advanced to the dignity of Duke of Greenwich in April 1719, which may have been the occasion for the compliments of the Clan Fraser being conveyed by Phopachie and the Major (see *ante*, p. 90). The Earl of Islay succeeded his brother, as 3rd Duke, in 1743.

Lord Simon and the Major lay at that tyme at Mons, a place belonging to Marchi de Fraselier. There Lord Simon fell dangerously ill, and was despaired of be the doctors. Then he made his latter will,* and was master that time in cash, 2000£ which he left to the Major to be disposed off as he pleased, only to share with his brother.

Lord Simon having recovered of that sickness a second consultation was held between him and the Major how to behave. The Major's advice to him was to go off at a venter, and throw himself at the mercy of King George who was then settled upon the throne of Brittaine tho' at the same time

* Compare with this Lovat's will of 1718; see *ante*, p. 87.

the Major knew that his whole intention was to serve the Pretender. Yet the Major thought that if it was possible to get him stolen out of France to meet with his great friends in England, that it would be then possible to bring him into the interest of this present government. Whereupon, after a great dispute betwixt him and the Major, the last carried it, and with this very argument, that it was very true he then had the King of France' favour and a handsome pension, but if Lewis was dead and the Regent to succeed him, who hated him mortally, the next day after the King of France' death, he might expect the Bastile for a closet. That he owned to be true.

The Major and he appointed a day to take journey, and Lord

Simon was to dispose privately of his whole effects to his Father Confessor, who was in the Jesuites' College of Somoor. Lord Simon and the Major came off under silence of the night, back from Mons to Somoor. When Lord Simon came there, he called for his Father Confessor and other Jesuites of that colledge, and told them that his cousin, the Major, had been with the Pretender pleading for his liberation, which he obtained, and that he was to go off by the permission of the Pretender and the King of France home for Scotland, in order to rise his men for the Pretender's service. Which those men (I mean the Jesuites) prayed for his success, and kissed him heartily, and also kissed the Major, who was then as great a Jesuite as they.

Lord Simon making himself ready for the journey disposed of all his household plenishing,* but his plate and cloths, which filled up four trunks; and the same was carried on two coach mears which belonged to him. The Major travelling a-foot with that baggage, and his Chief riding the horse that the Major got from the Duke of Loraine. Lord Simon at parting gave a caution to his commerads the Jesuites, to give out in the town of Somoors that he was gone to make a visit to the Governour of Roan who was his great friend, and keept his money.

He and the Major having taken journey, I cannot omit to inform the reader of a tragedy that happened in the road going thro' Normandy.

* Furnishings.

A young gentleman of a good behaviour, being a Swade that was making his tour over that kingdom, came up to Lord Simon in the road, and going together the same road, the Major had a foosie [fusil, or musket] in his hand, which he bought the day before, being curious to try the shooting of it, met with a flight of pigeons in the heart of a wood. The Major having fired at them killed some of them. His Chief told him if that was heard of, or seen, it would be the loss of his right arm. Upon which the Major filled all the pockats, that were a hors-back, of the pigeons, that they might be *socius criminis*.

In a little time thereafter there came up a clergyman of the Church of Rome, who keept company with those gentlemen till they came to a

village where they were to dyne. The Swade and the clergyman went into one room, and the Major and Lord Simon into another upon the same flatt. Then a part of the pigeons was ordered for denner. As the cloth was laid down in both the rooms, the poor Swade came into the room where Lord Simon and the Major were, almost breathless, all in a topp sweat. Lord Simon seeing him in such confusion asked him what was the matter, he told him that the villain, the Churchman, attacked him boldly to rob him. Lord Simon being ashamed of a Churchman of his own profession to be guilty of such a thing, got to his pistol to shout him that minute.

The Major not understanding their language and seeing his Chief in a passion, got hold of the pistoll, and

asked what the matter was, The Chief told him. The Major answered, are you so mad as to kill a man, to be stopt in your journey, when you are only running away with your own life. But if it is a satisfaction to you and the Swade, I shall lash him with a horse wheep to an inch of his life. But the clergyman did not think it convenient to stay, immediately got off with himself.

After denner my Lord and the Swade went on their journey. The lanlord with whom they dined told them that they would be attacked in that wood they had to go thro'. That there were murders dayly committed in it, as there were over all France that year. However, providence brought them thro' with little skeath;* only the exchange

* Skaith, harm.

of two or three shott, betwixt the Major and two highwaymen. The Swade lodged next night in the same room with Lord Lovat and the Major. In the morning the Swade took leave, and went a different way, and Lord Simon and the Major having come to Roan, called at the Post Office there, where Lord Simon just got a letter from the Father Confessor at Somoor, telling that there was an order from the Court of France sent to all seaports to apprended him and the Major, and that Robert Arbuthnet, the Scots factor at Roan, had particular orders to seize him and the Major.

The next thing they thought off was to house themselves closs and to see if there was any English ship in that port going off immediately

for England. But none being bound so soon, they got one Captain Wheeler, who was to sail in eight or ten days, to whom they delivered privatly their baggage, and took his receipt for the same; thereafter they sold their horses, excepting the Lorrain horse my Lord road. Having lurked there all the day, [they] went off in the night time, the Major running at his Chief's foot, came to a seaport called Deepth, [Dieppe] and could get no shiping there bound for England. They did not stay there long, but went off to Bouloyn, [Boulogne] where Lord Simon got information from a Jesuite who came that day from Callies, telling him that there was an order from the Court of France at that port to seize him and the Major.

The next remedy they then thought on was to hire an open boat from that place, which they accordingly did, and offered 15 Pistols to the crew to land them in Dover.

The greatest dispute betwixt the Major and his Chief was for bringing the Lorraine horse aboard, the crew not being willing to take him in. The Major declared he would not go aboard without his horse; in end they were prevailed with to let the horse in. They that night set saile by 7 o'clock, which was upon the 14 Novr. 1714.* The storm being so great, they all despaired of their lives that night, and the horse turned so unruly at the

* There is a letter of Lovat's to the Laird of Culloden announcing his landing from France; the date, hitherto blank, is here supplied.—See *Culloden Papers*, p. 32.

sea coming in over him, that he was forced to be bound with rops; in which situation he lay till they were landed at two a clock next afternoon at Dover.

Having come there the Major was not a little surprised to see one Alexander Fraser a cousin of his; the Major asked his cousin what had brought him there. He told him that he expected their landing there about that time, but told them nothing of the reasons.

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